



Spaceport & Technology Committee

Tuesday, March 14, 2006

2:00 PM to 4:00 PM

Room 12, HOB

MEETING PACKET



The Florida House of Representatives

State Infrastructure Council

Spaceport & Technology Committee

Allan G. Bense
Speaker

Bob Allen
Chair

AGENDA

COMMITTEE ON SPACEPORT & TECHNOLOGY **March 14, 2006**

- 1. CALL TO ORDER BY CHAIR**
- 2. GENERAL OPENING COMMENTS BY THE CHAIR**

Welcome and Opening Comments by the Chair.

3. AGENDA ITEMS

(A) PCB SPT 06-01 by the Spaceport & Technology Committee –
Relating to Aerospace

- 4.** Committee members identify issues for future review and consideration.
- 5.** Committee discusses future committee meetings; Chairman takes questions
- 6.** Closing remarks by Chair.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB SPT 06-01 Aerospace
SPONSOR(S): Spaceport & Technology Committee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Spaceport & Technology Committee		Whittier <i>SW</i>	Saliba <i>JS</i>
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

PCB SPT 06-01 changes the name of the Florida Space Authority to Space Florida throughout Chapter 331 and cross-references in other chapters of the Florida Statutes. The bill revises duties pertaining to the spaceport operations and removes the education duties from Space Florida and its Board of Supervisors (board). The bill also removes the power of the board to change the name of Space Florida.

The bill expands the definition of "aerospace" to include the application of aerospace technologies in air-based, land-based, and sea-based platforms for commercial, civil, and defense purposes.

The bill revises memberships of the boards of Space Florida, the Spaceport Management Council, and the Florida Space Research Institute (FSRI).

The bill directs FSRI to collaborate with universities and other public or private entities to develop a proposal for a Center of Excellence for Aerospace that will foster and promote the research necessary to "develop commercially promising, advanced, and innovative science and technology and will transfer those discoveries to the commercial sector."

The bill directs the Office of Program Policy and Government Accountability to conduct a program evaluation of Space Florida, FSRI, and the Florida Aerospace Finance Corporation (FAFC) by January 31, 2007.

The bill directs the Department of Revenue to distribute an amount equal to the sales and use tax revenues collected from dealers conducting business at the John F. Kennedy Space Center or Cape Canaveral Air Force Station to FAFC. These monies are to be utilized by FAFC to contract for innovative education programs offering hands-on or internet-based math and science experience and providing direct exposure to the state's space infrastructure for 6th and 7th graders in the state.

On February 24, 2006, the Revenue Estimating Conference reviewed the sales tax distribution provision and determined that it would have a negative impact of \$4 million on the state general revenue in FY 2006-07 and \$4.2 million in FY 2007-08. There is no significant fiscal impact on local governments.

The bill takes effect July 1, 2006.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide Less Government: The bill clarifies duties and responsibilities of state space entities to ensure implementation and execution of existing statutory requirements.

B. EFFECT OF PROPOSED CHANGES:

PRESENT SITUATION

Florida possesses a unique combination of geography, orbital mechanics, and technology that has allowed it to play a significant role in space launch services for decades. The state has been responsive to national policy changes and industry dynamics in an effort to remain a premier site for launch. In 1989, Florida established its first spaceport, Cape Canaveral Spaceport, in anticipation of a then-developing commercial market. Cape Canaveral Spaceport is defined as the territory consisting of areas within the John F. Kennedy Space Center and the Cape Canaveral Air Force Station.¹

Recently, the space transportation industry has been experiencing a renewed resurgence of commercial, civil, and defense activities which require access to space. Not only is there demand for commercially developed launch vehicles and services, entrepreneurial activities related to passenger-carrying spaceflight services present new considerations. Recent developments have prompted several states to establish commercial spaceports. The Governor's Commission on the Future of Space and Aeronautics in Florida (Governor's Commission) re-evaluated Florida's launch environment and the long-standing impediments to expanding launch services at Cape Canaveral Spaceport.

The Governor's Commission reported that Florida must compete on all the dimensions that influence payload customers' and launch suppliers' selection of a launch site. They recommended Florida proactively address three major categories of issues. The categories are: government jurisdictional issues and the lack of synchronization of statutes, regulations and codifications; complex customer service processes and associated costs; and the need for improvements to an aging space launch infrastructure and technology.²

Florida Space Authority

In 1989, the Legislature created the Spaceport Florida Authority Act which established the Spaceport Florida Authority. In 2002, the Legislature renamed it the Florida Space Authority (FSA).³ Originally conceived as a space transportation authority, Chapter 331, F.S., empowered FSA to perform nearly every function required to develop and operate a spaceport.⁴ Section 331.302(1), F.S., provides legislative intent that the FSA:

¹ See s. 331.304, F.S.

² *Florida Governor's Commission on the Future of Space and Aeronautics in Florida*, January 2006, pp 3-19-3.21

³ On November 20, 2001, the Spaceport Florida Authority's Board of Supervisors voted to change the authority's name to reflect a shift from the authority's mission of primarily launch facilitation to the comprehensive planning and implementation of all phases of space business and economic development, including research and development. The name change of the authority was amended into statutes during the 2002 legislative session. See House of Representatives Staff Analysis for HB 1557, February 24, 2002, pp. 2-3.

⁴ Available at www.floridaspaceauthority.com.

- Provide a unified direction for space-related economic growth and educational development to do the following:
 - Ensure a stable and dynamic economic climate;
 - Attract and maintain space-related businesses suitable to the state; and
 - Further the coordination and development of Florida's economy.

Section 331.302(3), F.S., further provides the FSA with the following purposes, functions, and responsibilities:

- Develop a strategy for, and implement the acceleration of, space-related economic growth and educational development within the state;
- Provide projects in the state which will develop and improve the entrepreneurial atmosphere;
- Provide coordination among space businesses, Florida universities, space tourism and the Spaceport Florida launch centers; and
- Provide activities designed to stimulate the development of space commerce.⁵

In accordance with s. 331.808, F.S., the FSA Board of Supervisors currently is composed of eight regular members that are appointed by the Governor, a state senator ex officio nonvoting member, a state representative ex officio nonvoting member, and the Lt. Governor, who is chair of the board. All regular members are subject to confirmation by the Senate. The board members must have experience in the aerospace or commercial space industry or in finance, or have other significant relevant experience. Further, one member must represent organized labor interests, one must represent minority interests, and four must represent space industry.

Spaceport Management Council

Section 331.367, F.S., authorizes the Spaceport Management Council (management council), which coordinates between government agencies and commercial operators for the purpose of developing recommendations on projects and activities to increase the operability and capabilities of the state's space launch facilities, increase statewide space-related industry and opportunities, and promote space education, research, and technology development. The management council is also to create an integrated facility plan and programmatic development plans to address commercial, state, and federal requirements and to identify appropriate private, state, and federal resources to implement those plans.

The management council has an executive board which is composed of the executive director of FSA, the Secretary of the Department of Transportation, the president of Enterprise Florida, Inc., and the director of the Office of Tourism, Trade, and Economic Development.

Although required by s. 331.367(8), F.S., to meet at least semi annually, this council, created in 1999, has not functioned as an advisory panel for several years. According to the FSA, this is because the federal members have stated that they cannot participate in such a council due to restrictions placed on them by the Federal Advisory Act.

The federal government agencies (NASA/KSC and the USAF)⁶ are the landlords of the spaceport, and thus control all activity thereon. The goals of the management council were defeated through lack of authority to implement initiatives. Out of frustration, interest in the council dissolved."⁷

Sections 331.367(6) and (7), F.S., require the council to provide "infrastructure and program requirements and develop other information to be utilized in a 5-year spaceport master plan" and provide "requirements and other information to be utilized in the development of a 5-year

⁵ See s. 331.302, F.S.

⁶ NASA stands for National Aeronautics and Space Administration; KSC stands for the John F. Kennedy Space Center; and USAF stands for the United States Air Force.

⁷ Florida's 2006 Space Strategy, Florida Space Authority, p. 15.

Spaceport Economic Plan...” Although these plans have been prepared, it has been without the statutorily-required input of the council

Florida Space Research Institute

In 1999, the legislature created the Florida Space Research Institute (FSRI). Originally recommended in a 1988 Space Commission report,⁸ FSRI was created to expand and diversify the state's involvement in space research and technology development. In accordance with s. 331.368(1), F.S., FSRI is to do the following:

- Serve as an industry-driven center for research, leveraging the state's resources in a collaborative effort to support Florida's space industry and its
 - Expansion;
 - Diversification; and
 - Transition to commercialization.⁹

On December 15th of each year, FSRI is to report its annual activities and accomplishments to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Commissioner of Education. Further, FSRI is to include the following in its report:

- Provide recommendations regarding actions the state should take to enhance the development of space-related businesses, including:
 - Future research activities;
 - The development of capital and technology assistance to new and expanding industries;
 - The removal of regulatory impediments;
 - The establishment of business development incentives; and
 - The initiation of education and training programs to ensure a skilled workforce.¹⁰

Florida Aerospace Finance Corporation

In 1999, the legislature also created the Florida Commercial Space Financing Corporation and, in 2002, the legislature renamed it the Florida Aerospace Finance Corporation (FAFC). As provided in s. 331.407(1), F.S., the purpose of FAFC is to do the following:

- Expand employment and income opportunities for residents of this state by providing businesses domiciled in this state with the following:
 - Information;
 - Technical assistance; and
 - Financial assistance.¹¹

The purpose of these functions is to support space-related transactions in order to increase the development of commercial aerospace products, activities, services, and facilities within the state.

It is generally understood within the industry that FSRI and FAFC were “spun off” of the FSA to provide specialized focus on the accomplishment of specific purposes. An alternative explanation is that the policy scope was too large for one entity and that there was a need for additional organizations as conceived in the 1988 report.

Each space entity is governed by a board with appointed members. Each board is made up of a combination of public and private sector representatives intended to bring industry expertise to the

⁸ *Florida Governor's Commission on Space Final Report to Governor Martinez, Steps to the Stars*, July 7, 1988, p. 36.

⁹ See s. 331.368(1), F.S.

¹⁰ See s. 331.368(8), F.S.

¹¹ See s. 331.407(1), F.S.

issues. The FSA executive director serves as a board member on both the FSRI and FAFC boards. It is interesting to note that Enterprise Florida, Inc., serves on the FSRI and FAFC boards, however, not on the FSA board. Additionally, the Enterprise Florida, Inc., board is not specifically required to maintain space representation.¹² Enterprise Florida, Inc., sponsors two stakeholder groups with a relationship to aerospace: the Florida Aviation Aerospace Alliance and the Florida Defense Alliance.

Currently, there are three technological Centers of Excellence in the state: The Center of Excellence for Regenerative Health Biotechnology at the University of Florida, the Center of Excellence in Biomedical and Marine Biotechnology at Florida Atlantic University, and Florida Photonics Center of Excellence at University of Central Florida.

PROPOSED CHANGES

PCB SPT 06-01 changes the name of the Florida Space Authority to Space Florida throughout Chapter 331 and cross-references in other chapters of the Florida Statutes. Most of the current powers, duties, and responsibilities remain unchanged. The bill does, however, add duties pertaining to spaceport operations and removes the education duties from Space Florida and its Board of Supervisors (board). The effect is that FSRI becomes the primary point of contact for space-related education, curriculum development, research, and workforce training. Space Florida remains the point of contact for economic development and operation of spaceports. The bill also removes the power of the Space Florida board to change the name of Space Florida.

The bill revises the definition of "aerospace" to include the application of aerospace technologies in air-based, land-based, and sea-based platforms for commercial, civil, and defense purposes. This allows for technologies developed or tested in these venues to be included in economic development, research, and financing considerations.

The bill provides additional duties for Florida Space pertaining to spaceport operations. The bill directs Space Florida to: seek the means to upgrade infrastructure and technologies at the Cape Canaveral Spaceport; support federal efforts to clarify roles and responsibilities of federal agencies in an effort to streamline access; support and assist commercial launch operators in submitting paperwork and gaining authorizations for launching; and consult government entities and industry on all aspects of establishing and operating spaceport infrastructure and related facilities. These initiatives are identified as a means to ensure Florida remains a premier location for civil, military, and commercial launches.

The bill expands the FSA board from eight to nine members and requires that one regular member represent Enterprise Florida, Inc. It expands the management council executive board from four to seven members, adding the executive director of FSRI, the president of FAFC, and a representative of the Space Industry Committee. The bill revises the membership of the FSRI board, replacing the representative of the expired Space Business Roundtable with a representative of the FAFC.

Currently, a corporation may not incorporate or transact business in the state using the name "spaceport Florida" or "Florida spaceport" without written approval from FSA. The bill expands this list to limit utilization of the names "Space Florida," "Florida Space Authority," "Florida Space Research Institute," and "Florida Aerospace Finance Corporation" by other entities.

The bill authorizes the FSRI to collaborate with universities and other public or private entities to develop a proposal for a Center of Excellence for Aerospace that will foster and promote the research necessary to "develop commercially promising, advanced, and innovative science and technology and will transfer those discoveries to the commercial sector." A Center of Excellence supports FSRI's current duties related to industry-centered research, expansion and diversification of space-related business, and commercialization. A center also enables collaboration around research and technologies that support space, military, and defense sectors.

¹² See s. 288.901, F.S.

Currently statutes direct the FSRI board to invite the participation of public and private universities, including the University of Central Florida, the University of Florida, the University of South Florida, Florida State University, Florida Institute of Technology, and the University of Miami. The bill adds Embry-Riddle Aeronautical University to this list of academic institutions.

In lieu of a co-management partnership with NASA, the bill directs the FSRI board to manage operation of the Space Life Sciences Laboratory (laboratory). This facility houses a state-of-the-art space bio-imaging laboratory that provides life sciences research that will be needed for long-duration trips to the Moon and Mars. According to the institute, the laboratory can support research in many areas, including astrobiology, biomedical space science (radiation effects, bone demineralization, and muscle atrophy) and bioregenerative life support.¹³

In 2001, OPPAGA conducted a review of the FAFC¹⁴ and a follow-up review in 2002 where it was determined that FAFC had corrected deficiencies that had been described in their previous report.¹⁵ The FSA's and FSRI's programs and performance have not been reviewed by OPPAGA. The bill directs the OPPAGA to conduct a program evaluation of the FSA, FSRI, and FAFC and report to the Governor and the Legislature by January 31, 2007.

The bill directs the Department of Revenue to distribute an amount equal to the state's share of the sales and use tax revenues collected from dealers conducting business at the John F. Kennedy Space Center or Cape Canaveral Air Force Station to the FAFC. The bill authorizes these monies to be utilized by the FAFC to contract for innovative education programs offering hands-on or internet-based math and science experiences and providing direct exposure to the state's space infrastructure for 6th and 7th graders in the state.

C. SECTION DIRECTORY:

Section 1. amends s. 331.301, F.S.; changes the name of the Florida Space Authority to Space Florida.

Section 2. amends s. 331.302, F.S.; revises responsibilities of Space Florida.

Section 3. amends s. 331.303, F.S.; revises definitions.

Section 4. amends s. 331.305, F.S., revises powers of Space Florida.

Section 6. repeals s. 331.307, F.S., regarding building a spaceport at Cape San Blas.

Section 7. amends s. 331.308, F.S.; revises membership of the board of supervisors.

Section 9. amends s. 331.310, F.S.; revises powers of the board of supervisors.

Section 46. amends s. 331.355, F.S.; revises requirements for use of names.

Section 48. amends s. 331.367, F.S.; revises reporting requirements and membership of the council.

¹³ Florida Space Research Institute, 2005 Annual Report, p. 4.

¹⁴ In this report [*Space Financing Corporation is Still Gearing Up and Needs to Develop a Business Plan*, Report No. 01-11, Office of Program Policy Analysis and Government Accountability, February 2001, p. 5.], OPPAGA recommended that the FAFC improve its performance measurement system (complete revising its research design and identify reliable data sources for its performance measures) and develop a strategic business plan to guide future activities.

¹⁵ *Space Financing Corporation Has Addressed OPPAGA Recommendations*, Report No. 02-60, Office of Program Policy Analysis and Government Accountability, November 2002.

Section 49. amends s. 331.368, F.S.; revises membership and duties of the FSRI board; revises powers of the institute.

Section 50. creates s. 331.370, F.S.; directs the Office of Program Policy Analysis and Government Accountability to conduct an evaluation.

Section 51. amends s. 331.405, F.S.; revises definitions.

Section 52. amends s. 331.407, F.S.; revises powers of the corporation.

Section 57. amends s. 212.20, F.S.; directs Department of Revenue to distribute certain sales and use tax revenues.

Section 62. provides an effective date of July 1, 2006.

Sections 5, 8, 10-45, 47, 53-56, and 58-61 amend ss. 74.011, 196.012, 212.02, 288.063, 288.075, 288.35, 288.9415, 331.306, 331.309, 331.3101, 331.311, 331.312, 331.313, 331.314, 331.315, 331.316, 331.317, 331.318, 331.321, 331.322, 331.323, 331.324, 331.325, 331.326, 331.327, 331.328, 331.329, 331.331, 331.333, 331.334, 331.335, 331.336, 331.337, 331.338, 331.339, 331.340, 331.343, 331.345, 331.346, 331.347, 331.348, 331.349, 331.350, 331.351, 331.354, 331.360, and 331.411, F.S.; conform provisions and cross-references.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

On February 24, 2006, the Revenue Estimating Conference reviewed the sales tax distribution and determined that it would have a negative impact of \$4 million on the state general revenue in FY 2006-07 and \$4.2 million in FY 2007-08.

2. Expenditures:

The bill authorizes the FAFC board to contract for innovative education programs. To the extent the board enters into contracts for services, these funds will be expended.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

No impact. The bill provides that the monthly distributions not include proceeds of discretionary surtaxes; therefore, the local option sales taxes are not affected.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

There is no significant direct fiscal impact on the private sector.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not appear to require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

N/A

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YEAR

1 A bill to be entitled
2 An act relating to aerospace; amending s. 331.301, F.S.;
3 changing the name of the Florida Space Authority to Space
4 Florida; amending s. 331.302, F.S.; revising
5 responsibilities of Space Florida; amending s. 331.303,
6 F.S.; revising the definitions; amending s. 331.305, F.S.,
7 revising powers of Space Florida; repealing s. 331.307,
8 F.S.; amending s. 331.308, F.S.; revising membership of
9 the board of supervisors; amending s. 331.310, F.S.;
10 revising powers of the board of supervisors; amending s.
11 331.355, F.S.; revising requirements for use of names;
12 amending s. 331.367, F.S.; revising reporting requirements
13 and membership of the council; amending s. 331.368, F.S.;
14 creating s. 331.370, F.S.; directing the Office of Program
15 Policy Analysis and Government Accountability to conduct
16 an evaluation; amending s. 331.405, F.S.; revising
17 definitions; amending s. 331.407, F.S.; amending s.
18 212.20, F.S.; directing Department of Revenue to
19 distribute certain sales and use tax revenues; amending
20 ss. 74.011, 196.012, 212.02, 288.063, 288.075, 288.35,
21 288.9415, 331.306, 331.309, 331.3101, 331.311, 331.312,
22 331.313, 331.314, 331.315, 331.316, 331.317, 331.318,
23 331.321, 331.322, 331.323, 331.324, 331.325, 331.326,
24 331.327, 331.328, 331.329, 331.331, 331.333, 331.334,
25 331.335, 331.336, 331.337, 331.338, 331.339, 331.340,
26 331.343, 331.345, 331.346, 331.347, 331.348, 331.349,
27 331.350, 331.351, 331.354, 331.360, and 331.411, F.S.;
28 conforming provisions and cross-references; providing an
29 effective date.

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ORIGINAL

YEAR

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 331.301, Florida Statutes, is amended to read:

331.301 Short title.--This act may be cited as the "Space Florida ~~Florida Space Authority~~ Act."

Section 2. Subsections (2), (3), and (4) of section 331.302, Florida Statutes, are amended to read:

331.302 Space Florida ~~Florida Space Authority~~; creation; purpose.--

(2) There is hereby established, formed, and created Space Florida ~~the Florida Space Authority~~, which is created and incorporated as a public corporation, body politic, and subdivision of the state to establish facilities or complementary activities to enhance and provide commercial space-related development opportunities for business, education, and government, and which shall have all the powers, rights, privileges, and authority as provided under the laws of this state.

(3) It shall be the purpose, function, and responsibility of Space Florida ~~the Florida Space Authority~~ to develop a strategy for and implement the acceleration of space-related economic ~~growth and educational~~ development within the state. Projects in the state shall include the space business incubators, space tourism activities and centers, educational involvement in business incubators, and the Spaceport Florida launch centers. It shall be Space Florida's ~~the authority's~~

BILL

ORIGINAL

YEAR

purpose, function, and responsibility to provide projects in the state which will develop and improve the entrepreneurial atmosphere, to provide coordination among space businesses, Florida universities, space tourism, and the Spaceport Florida launch centers, and to provide activities designed to stimulate the development of space commerce. In carrying out these duties and responsibilities, Space Florida ~~the authority~~ may advise and cooperate with municipalities, counties, regional authorities, state agencies and organizations, appropriate federal agencies and organizations, and other interested persons and groups.

(4) It is the intent of the Legislature that Space Florida ~~the Florida Space Authority~~ shall not be considered an "agency" as defined in ss. 216.011 and 287.012.

Section 3. Subsections (1) through (4), (6) through (9), (11), (12), (16), (17), (19), (20), (22), and (25) of section 331.303, Florida Statutes, are amended to read:

331.303 Definitions.--

(1) "Aerospace industry" means the industry concerned with the design and manufacture of aircraft, rockets, missiles, spacecraft, satellites, space vehicles, space stations, or space facilities, or components thereof, and equipment, systems, facilities, simulators, programs, and activities related thereto, including the application of aerospace technologies in air-based, land-based, and sea-based platforms for commercial, civil, and defense purposes. ~~"Authority" means the Florida Space Authority created by this act.~~

(2) "Board" or "board of supervisors" means the governing body of Space Florida ~~the authority~~.

BILL

ORIGINAL

YEAR

(3) "Bonds" means revenue bonds, assessment bonds, or other bonds or obligations issued by Space Florida~~the authority~~ for the purpose of raising financing for its projects.

(4) "Business client" means any person, other than a state official or state employee, who receives the services of, or is the subject of solicitation by, representatives of Space Florida~~the authority~~ in connection with the performance of its statutory duties, including purchasers or prospective purchasers of authority services, persons or representatives of firms considering or being solicited for investment in Space Florida~~authority~~ projects, persons or representatives of firms considering or being solicited for location, relocation, or expansion of a space-related business within the state, and business, financial, or other persons connected with the space industry.

(6) "Conduit bond" means any bond of Space Florida~~the authority~~ which is a nonrecourse obligation of Space Florida~~the authority~~ payable from the proceeds of such bonds and related financing agreements.

(7) "Cost" means all costs, fees, charges, expenses, and amounts associated with the development of projects by Space Florida~~the authority~~.

(8) "Entertainment expenses" means the actual, necessary, and reasonable costs of providing hospitality for business clients or guests, which costs are defined and prescribed by rules adopted by Space Florida~~the authority~~, subject to approval by the Chief Financial Officer.

BILL

ORIGINAL

YEAR

114 (9) "Federal aid" means any property, funding, or other
115 financial assistance provided by the Federal Government to Space
116 Florida~~the authority~~ for its projects.

117 (11) "Guest" means a person, other than a state official or
118 state employee, authorized by the board or its designee to
119 receive the hospitality of Space Florida~~the authority~~ in
120 connection with the performance of its statutory duties.

121 (12) "Landing area" means the geographical area designated
122 by Space Florida~~the authority~~ within the spaceport territory for
123 or intended for the landing and surface maneuvering of any launch
124 or other space vehicle.

125 (16) "Project" means any development, improvement,
126 property, launch, utility, facility, system, works, road,
127 sidewalk, enterprise, service, or convenience, which may include
128 coordination with Enterprise Florida, Inc., the Department~~Board~~
129 of Education, the Florida Aerospace Finance Corporation, and the
130 Florida Space Research Institute; any rocket, capsule, module,
131 launch facility, assembly facility, operations or control
132 facility, tracking facility, administrative facility, or any
133 other type of space-related transportation vehicle, station, or
134 facility; any type of equipment or instrument to be used or
135 useful in connection with any of the foregoing; any type of
136 intellectual property and intellectual property protection in
137 connection with any of the foregoing including, without
138 limitation, any patent, copyright, trademark, and service mark
139 for, among other things, computer software; any water,
140 wastewater, gas, or electric utility system, plant, or
141 distribution or collection system; any small business incubator
142 initiative, including any startup aerospace company, research and

BILL

ORIGINAL

YEAR

development company, research and development facility, education and workforce training facility, storage facility, and consulting service; or any tourism initiative, including any space experience attraction, space-launch-related activity, and space museum sponsored or promoted by Space Florida~~the authority~~.

(17) "Range" means the geographical area designated by Space Florida~~the authority~~ or other appropriate body as the area for the launching of rockets, missiles, launch vehicles, and other vehicles designed to reach high altitude.

(19) "Spaceport" means any area of land or water, or any manmade object or facility located therein, developed by Space Florida~~the authority~~ under this act, which area is intended for public use or for the launching, takeoff, and landing of spacecraft and aircraft, and includes any appurtenant areas which are used or intended for public use, for spaceport buildings, or for other spaceport facilities, spaceport projects, or rights-of-way.

(20) "Spaceport Florida" means Space Florida~~the authority~~ or its facilities and projects.

(22) "Spaceport system" means the programs, organizations, and infrastructure developed by Space Florida~~the authority~~ for the development of facilities or activities to enhance and provide commercial space-related development opportunities for business, education, and government within the state.

(25) "Travel expenses" means the actual, necessary, and reasonable costs of transportation, meals, lodging, and incidental expenses normally incurred by a traveler, which costs are defined and prescribed by rules adopted by Space Florida~~the authority~~, subject to approval by the Chief Financial Officer.

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Section 4. Section 331.305, Florida Statutes, is amended to read:

331.305 Powers of Space Florida ~~the authority~~.--Space Florida ~~The authority~~ shall have the power to:

(1) Exercise all powers granted to corporations under the Florida Business Corporation Act, chapter 607.

(2) Sue and be sued by its name in any court of law or in equity.

(3) Adopt and use a corporate seal and alter the same at pleasure.

(4) Review and make recommendations with respect to a strategy to guide and facilitate the future of space-related ~~educational and commercial development~~. Space Florida ~~The authority~~ shall in coordination with the Federal Government, private industry, and Florida universities develop a business plan which shall address the expansion of Spaceport Florida locations, space launch capacity, spaceport projects, and complementary activities, which shall include, but not be limited to, a detailed analysis of:

(a) Space Florida ~~The authority~~ and the commercial space industry.

(b) Products, services description--potential, technologies, skills.

(c) Market research and evaluation--customers, competition, economics.

(d) Marketing plan and strategy.

(e) Design and development plan--tasks, difficulties, costs.

BILL	ORIGINAL	YEAR
200	(f) Manufacturing locations, facilities, and operations	
201	plan.	
202	(g) Management organization--roles and responsibilities.	
203	(h) Overall schedule (monthly).	
204	(i) Important risks, assumptions, and problems.	
205	(j) Community impact--economic, human development,	
206	community development.	
207	(k) Financial plan (monthly for first year; quarterly for	
208	next 3 years).	
209	(l) Proposed authority offering--financing, capitalization,	
210	use of funds.	
211	(5) Acquire property, real, personal, intangible, tangible,	
212	or mixed, within or without its territorial limits, in fee simple	
213	or any lesser interest or estate, by purchase, gift, devise, or	
214	lease, on such terms and conditions as the board may deem	
215	necessary or desirable, and sell or otherwise dispose of the same	
216	and of any of the assets and properties of <u>Space Florida</u> the	
217	authority .	
218	(6) Make and execute any and all contracts and other	
219	instruments necessary or convenient to the exercise of its	
220	powers, including financing agreements with persons or spaceport	
221	users to facilitate the financing, construction, leasing, or sale	
222	of any project.	
223	(7) Whenever deemed necessary by the board, lease as lessor	
224	or lessee to or from any person, public or private, any	
225	facilities or property for the use of <u>Space Florida</u> the authority	
226	and carry out any of the purposes of <u>Space Florida</u> the authority .	
227	(8) Appoint, through its board of supervisors, an executive	
228	director.	

BILL

ORIGINAL

YEAR

229 (9) Own, acquire, construct, develop, create, reconstruct,
230 equip, operate, maintain, extend, and improve launch pads,
231 landing areas, ranges, payload assembly buildings, payload
232 processing facilities, laboratories, space business incubators,
233 launch vehicles, payloads, space flight hardware, facilities and
234 equipment for the construction of payloads, space flight
235 hardware, rockets, and other launch vehicles, and other spaceport
236 facilities and other space-related systems, including
237 educational, cultural, and parking facilities and space-related
238 initiatives.

239 (10) Undertake a program of advertising to the public
240 promoting space-related businesses or any spaceport projects of
241 Space Florida ~~the authority~~, and expend moneys and undertake such
242 activities to carry out such advertising and promotional program
243 as the board from time to time may determine.

244 (11) Own, acquire, construct, reconstruct, equip, operate,
245 maintain, extend, and improve transportation facilities
246 appropriate to meet the transportation requirements of Space
247 Florida ~~the authority~~ and activities conducted within the
248 spaceport territory.

249 (12) Own, acquire, construct, reconstruct, equip, operate,
250 maintain, extend, and improve electric power plants, transmission
251 lines and related facilities, gas mains and facilities of any
252 nature for the production or distribution of natural gas,
253 transmission lines and related facilities and plants and
254 facilities for the generation and transmission of power through
255 traditional and new and experimental sources of power and energy;
256 purchase electric power, natural gas, and other sources of power
257 for distribution within any spaceport territory; develop and

BILL

ORIGINAL

YEAR

258 | operate water and sewer systems and waste collection and disposal
 259 | consistent with chapter 88-130, Laws of Florida; and develop and
 260 | operate such new and experimental public utilities, including,
 261 | but not limited to, centrally distributed heating and air-
 262 | conditioning facilities and services, closed-circuit television
 263 | systems, and computer services and facilities, as the board may
 264 | from time to time determine. However, Space Florida ~~the authority~~
 265 | shall not construct any system, work, project, or utility
 266 | authorized to be constructed under this paragraph in the event
 267 | that a system, work, project, or utility of a similar character
 268 | is being actually operated by a municipality or private company
 269 | in the municipality or territory adjacent thereto, unless such
 270 | municipality or private company consents to such construction.

271 | (13) Designate, set aside, and maintain lands and areas
 272 | within or without the territorial limits of any spaceport
 273 | territory as conservation areas or bird and wildlife sanctuaries;
 274 | stock such areas with animal and plant life and stock water areas
 275 | with fish and other aquatic life; promulgate and enforce rules
 276 | and regulations with respect thereto and protect and preserve the
 277 | natural beauty thereof; and do all acts necessary or desirable in
 278 | order to qualify such lands and areas as conservation areas and
 279 | sanctuaries under any of the laws of the state or under federal
 280 | law.

281 | (14) Establish a program for the control, abatement, and
 282 | elimination of mosquitoes and other noxious insects, rodents,
 283 | reptiles, and other pests throughout the spaceport territory and
 284 | undertake such works and construct such facilities within or
 285 | without the spaceport territory as may be determined by the board
 286 | to be needed to effectuate such program; abate and suppress

BILL

ORIGINAL

YEAR

287 mosquitoes and other arthropods, whether disease-bearing or
 288 pestiferous, within any spaceport territory when in the judgment
 289 of the board such action is necessary or desirable for the health
 290 and welfare of the inhabitants of or visitors to any spaceport;
 291 and take any and all temporary or permanent eliminative measures
 292 that the board may deem advisable. The Legislature hereby finds
 293 and declares Space Florida ~~the authority~~ eligible to receive
 294 state funds, supplies, services, and equipment available or that
 295 may in the future become available to mosquito or pest control
 296 districts, the provisions of s. 388.021 notwithstanding.

297 (15) Subject to the rules and regulations of the
 298 appropriate water management district, own, acquire, construct,
 299 reconstruct, equip, maintain, operate, extend, and improve water
 300 and flood control facilities. The Legislature hereby finds and
 301 declares Space Florida ~~the authority~~ eligible to receive moneys,
 302 disbursements, and assistance from the state available to flood
 303 control or water management districts and navigation districts or
 304 agencies.

305 (16) Own, acquire, construct, reconstruct, equip, maintain,
 306 operate, extend, and improve public safety facilities for the
 307 spaceport, including security stations, security vehicles, fire
 308 stations, water mains and plugs, and fire trucks and other
 309 vehicles and equipment; hire employees, security officers, and
 310 firefighters; and undertake such works and construct such
 311 facilities determined by the board to be necessary or desirable
 312 to promote and ensure public safety within the spaceport
 313 territory.

314 (17) Hire, through its executive director, a safety officer
 315 with substantial experience in public safety procedures and

BILL

ORIGINAL

YEAR

316 programs for space vehicle launching and related hazardous
317 operations. The safety officer shall monitor and report on the
318 safety and hazards of ground-based space operations to the
319 executive director.

320 (18) Establish a personnel management system for hiring
321 employees and setting employee benefit packages. The personnel of
322 Space Florida~~the authority~~ shall not be considered to be within
323 the state employment system.

324 (19) Establish procedures, rules, and rates governing per
325 diem and travel expenses of its employees, the members of the
326 board of supervisors, and other persons authorized by the board
327 to incur such expenses. Except as otherwise provided in s.
328 331.3101, such rules are subject to provisions of state law or
329 rules pertaining to per diem and travel expenses of public
330 officers, employees, or other persons authorized by an agency
331 head to incur such expenses.

332 (20) Examine, develop, and utilize new concepts, designs,
333 and ideas; own, acquire, construct, reconstruct, equip, operate,
334 maintain, extend, and improve experimental spaceport facilities
335 and services; and otherwise undertake, sponsor, finance, and
336 maintain such research activities, experimentation, and
337 development as the board may from time to time determine, in
338 connection with any of the projects that Space Florida~~the~~
339 ~~authority~~ is authorized to undertake pursuant to the powers and
340 authority vested in it by this act, and in order to promote the
341 development and utilization of new concepts, designs, and ideas
342 in the fields of space exploration, commercialization of the
343 space industry, and spaceport facilities.

BILL

ORIGINAL

YEAR

(21) Issue revenue bonds, assessment bonds, or any other bonds or obligations authorized by the provisions of this act or any other law, or any combination of the foregoing, and pay all or part of the cost of the acquisition, construction, reconstruction, extension, repair, improvement, or maintenance of any project or combination of projects, including payloads and space flight hardware, and equipment for research, development, and educational activities, to provide for any facility, service, or other activity of Space Florida~~the authority~~, and provide for the retirement or refunding of any bonds or obligations of Space Florida~~the authority~~, or for any combination of the foregoing purposes. Space Florida~~The authority~~ must provide 14 days' notice to the presiding officers and appropriations chairs of both houses of the Legislature prior to presenting a bond proposal to the Governor and Cabinet. If either presiding officer or appropriations chair objects to the bonding proposal within the 14-day-notice period, the bond issuance may be approved only by a vote of two-thirds of the members of the Governor and Cabinet.

(22) Make expenditures for entertainment and travel expenses and business clients, guests, and other authorized persons as provided in this act.

(23) In connection with any financing agreement, fix and collect fees, loan payments, rental payments, and other charges for the use of any project in such amount as to provide sufficient moneys to pay the principal of and interest on bonds as the same shall become due and payable, if so provided in the bond resolution or trust agreement, and to create reserves for such purposes. The fees, rents, payments, and charges and all

BILL

ORIGINAL

YEAR

373 other revenues and proceeds derived from the project in
 374 connection with which the bonds of any issue shall have been
 375 issued, except such part thereof as may be necessary for such
 376 reserves or any expenditures as may be provided in the resolution
 377 authorizing the issuance of the bonds or in the trust agreement
 378 securing the same, shall be set aside, at the time as may be
 379 specified in the resolution or trust agreement, in a sinking fund
 380 which may be pledged to and charged with the payment of the
 381 principal of and the interest on such bonds as the same shall
 382 become due and the redemption price or the purchase price of
 383 bonds retired by call or purchase as therein provided. Such
 384 pledge shall be valid and binding from the time the pledge is
 385 made. The fees, rents, charges, and other revenues and moneys so
 386 pledged and thereafter received by or on behalf of Space Florida
 387 ~~the authority~~ shall immediately be subject to the lien of any
 388 such pledge without any physical delivery thereof or further act,
 389 and the lien of any such pledge shall be valid and binding as
 390 against all parties having claims of any kind in tort, contract,
 391 or otherwise against Space Florida ~~the authority~~, irrespective of
 392 whether such parties have notice thereof. Neither the resolution
 393 nor any trust agreement by which a pledge is created need be
 394 filed or recorded, except in the records of Space Florida ~~the~~
 395 ~~authority~~. The use and disposition of money to the credit of the
 396 sinking fund shall be subject to the provisions of the resolution
 397 authorizing the issuance of such bonds or the provisions of such
 398 trust agreement.

399 (24) Exercise the right and power of eminent domain in
 400 spaceport territory as defined in s. 331.304. In exercising such

BILL

ORIGINAL

YEAR

power, ~~Space Florida the authority~~ shall comply with the procedures and requirements of chapters 73 and 74.

(25) In carrying out its responsibilities for spaceport operations:

(a) Seek federal support to renew and upgrade the infrastructure and technologies at the Cape Canaveral Air Force Station, the Kennedy Space Center, and the Eastern Range that will enhance space and military programs of the Federal Government, and improve access for commercial launch activities.

(b) Support federal efforts to clarify roles and responsibilities of federal agencies, and eliminate duplicative federal rules and policies, in an effort to streamline access for commercial launch users.

(c) Promote and facilitate launch activity within the state by supporting and assisting commercial launch operators in completing and submitting required documentation and gaining approvals and authorization from the required federal agencies for launching from Florida.

(d) Consult, as necessary, with the appropriate federal, state, and local authorities, including the National Aeronautics and Space Administration, the Federal Aviation Administration, the Department of Defense, the Department of Transportation, the Florida National Guard, and industry on all aspects of establishing and operating spaceport infrastructure and related facilities within the state.

Note.--Section 11, ch. 91-265, provides that "[a]ny funds generated by the Spaceport Florida Authority may be used for

BILL

ORIGINAL

YEAR

429 matching purposes under the State University System's facilities
430 matching grant program."

431 Section 5. Section 331.306, Florida Statutes, is amended to
432 read:

433 331.306 Federal airspace notification.--In coordination
434 with the Florida Department of Transportation, Space Florida~~the~~
435 ~~authority~~ shall develop and file the federal airspace
436 notification required for priority airspace use.

437 Section 6. Section 331.307, Florida Statutes, is repealed.

438 Section 7. Subsection (1) of section 331.308, Florida
439 Statutes, is amended to read:

440 331.308 Board of supervisors.--

441 (1) There is created within Space Florida ~~the Florida Space~~
442 ~~Authority~~ a board of supervisors consisting of nine~~eight~~ regular
443 members, who shall be appointed by the Governor, and two ex
444 officio nonvoting members, one of whom shall be a state senator
445 selected by the President of the Senate and one of whom shall be
446 a state representative selected by the Speaker of the House of
447 Representatives. The Lieutenant Governor, who is the state's
448 space policy leader, shall serve as chair of the board of
449 supervisors, and shall cast the deciding vote if the votes of the
450 nine~~eight~~ regular members result in a tie. The board shall elect
451 a vice chair to preside in the absence of the Lieutenant Governor
452 and to perform such other duties as may be designated. All
453 regular members shall be subject to confirmation by the Senate at
454 the next regular session of the Legislature. Existing board
455 members are not prohibited from reappointment. Each of the
456 regular board members must be a resident of the state and must
457 have experience in the aerospace or commercial space industry or

BILL

ORIGINAL

YEAR

458 in finance or have other significant relevant experience. A
 459 private sector legal entity may not have more than one person
 460 serving on the board at any one time. One regular member shall
 461 represent organized labor interests, one regular member shall
 462 represent minority interests, and four regular members must
 463 represent space industry, at least one of whom must also be from
 464 a small business, as defined in s. 288.703, and one regular
 465 member shall be a representative of Enterprise Florida, Inc. For
 466 the purpose of this section, "space industry" includes private
 467 sector entities engaged in space flight business, as defined in
 468 s. 212.031, research and technology development of space-based
 469 products and services, space station commercialization,
 470 development of spaceport and range technology, remote sensing
 471 products and services, space biotechnology, measurement and
 472 calibration of space assets, space-related software and
 473 information technology development, design and architecture of
 474 space-based assets and facilities for manufacturing and other
 475 purposes, space-related nanotechnology, space tourism, and other
 476 commercial enterprises utilizing uniquely space-based
 477 capabilities.

478 Section 8. Subsections (1) and (2) of section 331.309,
 479 Florida Statutes, are amended to read:

480 331.309 Treasurer; depositories; fiscal agent.--

481 (1) The board shall designate an individual who is a
 482 resident of the state, or a qualified public depository as
 483 defined in s. 280.02, as treasurer of Space Florida ~~the~~
 484 ~~authority~~, who shall have charge of the funds of Space Florida
 485 ~~the authority~~. Such funds shall be disbursed only upon the order
 486 of or pursuant to the resolution of the board by warrant, check,

BILL

ORIGINAL

YEAR

487 authorization, or direct deposit pursuant to s. 215.85, signed or
 488 authorized by the treasurer or his or her representative or by
 489 such other persons as may be authorized by the board. The board
 490 may give the treasurer such other or additional powers and duties
 491 as the board may deem appropriate and shall establish the
 492 treasurer's compensation. The board may require the treasurer to
 493 give a bond in such amount, on such terms, and with such sureties
 494 as may be deemed satisfactory to the board to secure the
 495 performance by the treasurer of his or her powers and duties. The
 496 board shall audit or have audited the books of the treasurer at
 497 least once a year.

498 (2) The board is authorized to select as depositories in
 499 which the funds of the board and of Space Florida~~the authority~~
 500 shall be deposited any qualified public depository as defined in
 501 s. 280.02, upon such terms and conditions as to the payment of
 502 interest by such depository upon the funds so deposited as the
 503 board may deem just and reasonable. Funds of Space Florida~~the~~
 504 ~~authority~~ may also be deposited with the Florida Commercial Space
 505 Financing Corporation created by s. 331.407. The funds of Space
 506 Florida~~the authority~~ may be kept in or removed from the State
 507 Treasury upon written notification from the chair of the board to
 508 the Chief Financial Officer.

509 Section 9. Section 331.310, Florida Statutes, is amended to
 510 read:

511 331.310 Powers and duties of the board of supervisors.--
 512 Except as otherwise provided in this act, all of the powers and
 513 duties of Space Florida~~the authority~~ shall be exercised by and
 514 through the board of supervisors, including the power and duty
 515 to:

BILL

ORIGINAL

YEAR

516 (1) Adopt bylaws, rules, resolutions, and orders
517 prescribing the powers, duties, and functions of the officers of
518 Space Florida~~the authority~~, the conduct of the business of Space
519 Florida~~the authority~~, the maintenance of records, and the form
520 of all documents and records of Space Florida~~the authority~~. The
521 board may adopt administrative rules and regulations with respect
522 to any of the projects of Space Florida~~the authority~~, with
523 notice and public hearing.

524 (2) Maintain an executive office and Space Florida
525 ~~authority~~ offices in close proximity to Kennedy Space Center.

526 (3) Enter, and authorize any agent or employee of Space
527 Florida~~the authority~~ to enter, upon any lands, waters, and
528 premises, upon giving reasonable notice and due process to the
529 land owner, for the purposes of making surveys, soundings,
530 drillings, appraisals, and examinations necessary to perform its
531 duties and functions. Any such entry shall not be deemed a
532 trespass or an entry that would constitute a taking in an eminent
533 domain proceeding. Space Florida~~The authority~~ shall make
534 reimbursement for any actual damages to such lands, waters, and
535 premises as a result of such activity.

536 (4) Execute all contracts and other documents, adopt all
537 proceedings, and perform all acts determined by the board to be
538 necessary or desirable to carry out the purposes of this act. The
539 board may authorize one or more members of the board to execute
540 contracts and other documents on behalf of the board or Space
541 Florida~~the authority~~.

542 (5) Establish and create such departments, committees, or
543 other agencies as from time to time the board may deem necessary
544 or desirable in the performance of any acts or other things

BILL

ORIGINAL

YEAR

545 necessary to the exercise of the powers provided in this act, and
546 delegate to such departments, boards, or other agencies such
547 administrative duties and other powers as the board may deem
548 necessary or desirable.

549 (6) Appoint a person to act as executive director of Space
550 Florida ~~the authority~~, having such official title, functions,
551 duties, powers, and salary as the board may prescribe.

552 (7) Examine, and authorize any officer or agent of Space
553 Florida ~~the authority~~ to examine, the county tax rolls with
554 respect to the assessed valuation of the real and personal
555 property within any spaceport territory.

556 (8) Engage in the planning and implementation of space-
557 related economic ~~and educational~~ development within the state.

558 (9) Execute intergovernmental agreements and development
559 agreements consistent with prevailing statutory provisions,
560 including, but not limited to, special benefits or tax increment
561 financing initiatives.

562 (10) Establish reserve funds for future board operations.

563 (11) Adopt rules pursuant to chapter 120 to carry out the
564 purposes of this act.

565 (12) Abide by all applicable federal labor laws in the
566 construction and day-to-day operations of Space Florida ~~the~~
567 ~~authority~~ and any spaceport. Further, the board shall establish,
568 by rule and regulation, pursuant to chapter 120, policies and
569 procedures for the construction and operation of Space Florida
570 ~~the authority~~ and any spaceport. Said policies and procedures
571 shall be such that when Space Florida ~~the authority~~ expends
572 federal funds for construction or operation of any spaceport
573 project, Space Florida ~~the authority~~ will be subject to the

BILL

ORIGINAL

YEAR

574 federal labor laws observed at the Kennedy Space Center and Cape
575 Canaveral Air Force Station, Florida, applicable as a result of
576 such federal expenditures.

577 (13) Prepare an annual report of operations. Said report
578 shall include, but not be limited to, a balance sheet, an income
579 statement, a statement of changes in financial position, a
580 reconciliation of changes in equity accounts, a summary of
581 significant accounting principles, the auditor's report, a
582 summary of the status of existing and proposed bonding projects,
583 comments from management about the year's business, and prospects
584 for the next year, which shall be submitted each year by November
585 30 to the Governor, the President of the Senate, the Speaker of
586 the House of Representatives, the minority leader of the Senate,
587 and the minority leader of the House of Representatives.

588 ~~(14) Change the name of the authority.~~

589 Section 10. Section 331.3101, Florida Statutes, is amended
590 to read:

591 331.3101 Space Florida ~~Florida Space Authority~~; travel and
592 entertainment expenses.--

593 (1) Notwithstanding the provisions of s. 112.061, Space
594 Florida ~~the authority~~ shall adopt rules by which it may make
595 expenditures by advancement or reimbursement, or a combination
596 thereof, to authority officers and employees; reimburse business
597 clients, guests, and authorized persons as defined in s.
598 112.061(2)(e); and make direct payments to third-party vendors:

599 (a) For travel expenses of such business clients, guests,
600 and authorized persons incurred by Space Florida ~~the authority~~ in
601 connection with the performance of its statutory duties, and for
602 travel expenses incurred by state officials and state employees

BILL

ORIGINAL

YEAR

603 while accompanying such business clients, guests, or authorized
604 persons or when authorized by the board or its designee.

605 (b) For entertainment expenses of such guests, business
606 clients, and authorized persons incurred by Space Florida~~the~~
607 ~~authority~~ in connection with the performance of its statutory
608 duties, and for entertainment expenses incurred for authority
609 officials and employees when such expenses are incurred while in
610 the physical presence of such business clients, guests, or
611 authorized persons.

612 (2) The rules shall be subject to approval by the Chief
613 Financial Officer prior to promulgation. The rules shall require
614 the submission of paid receipts, or other proof prescribed by the
615 Chief Financial Officer, with any claim for reimbursement, and
616 shall require, as a condition for any advancement, an agreement
617 to submit paid receipts or other proof and to refund any unused
618 portion of the advancement within 15 days after the expense is
619 incurred or, if the advancement is made in connection with
620 travel, within 15 days after completion of the travel. However,
621 with respect to an advancement made solely for travel expenses,
622 the rules may allow paid receipts or other proof to be submitted,
623 and any unused portion of the advancement to be refunded, within
624 30 days after completion of the travel.

625 (3) An annual report shall be made to the Legislature not
626 later than November 30 of each year for the previous fiscal year,
627 which shall consist of a synopsis concisely summarizing all
628 travel, entertainment, and incidental expenses incurred within
629 the United States and, separately, all travel, entertainment, and
630 incidental expenses incurred outside the United States.

BILL

ORIGINAL

YEAR

631 (4) No claim submitted under this section shall be required
 632 to be sworn to before a notary public or other officer authorized
 633 to administer oaths, but any claim authorized or required to be
 634 made under any provision of this section shall contain a
 635 statement that the expenses were actually incurred as necessary
 636 travel or entertainment expenses in the performance of official
 637 duties of Space Florida ~~the authority~~ and shall be verified by
 638 written declaration that it is true and correct as to every
 639 material matter. Any person who willfully makes and subscribes to
 640 any such claim which the person does not believe to be true and
 641 correct as to every material matter or who willfully aids or
 642 assists in, or procures, counsels, or advises, the preparation or
 643 presentation of a claim pursuant to this section, which claim is
 644 fraudulent or false as to any material matter, whether or not
 645 such falsity or fraud is with the knowledge or consent of the
 646 person authorized or required to present such claim, commits a
 647 misdemeanor of the second degree, punishable as provided in s.
 648 775.082 or s. 775.083. Whoever receives an advancement or
 649 reimbursement by means of a false claim is civilly liable, in the
 650 amount of the overpayment, for the reimbursement of the public
 651 fund from which the claim was paid.

652 Section 11. Section 331.311, Florida Statutes, is amended
 653 to read:

654 331.311 Exercise by authority of its powers within
 655 municipalities and other political subdivisions.--Space Florida
 656 ~~The authority~~ shall have the power to exercise any of its rights,
 657 powers, privileges, and authority in any and all portions of any
 658 spaceport territory lying within the boundaries of any municipal
 659 corporation or other political subdivision, heretofore or

BILL

ORIGINAL

YEAR

660 hereafter created or organized, whose boundaries lie wholly or
 661 partly within the geographical limits of the spaceport territory,
 662 to the same extent and in the same manner as in areas of the
 663 spaceport territory not incorporated as part of a municipality or
 664 other political subdivision. With respect to any municipal
 665 corporation or other political subdivision whose boundaries lie
 666 partly within and partly without the geographical limits of the
 667 spaceport territory, Space Florida~~the authority~~ shall have the
 668 power to exercise its rights, powers, privileges, and authority
 669 only within the portion of such municipal corporation or other
 670 political subdivision lying within the boundaries of the
 671 spaceport territory.

672 Section 12. Section 331.312, Florida Statutes, is amended
 673 to read:

674 331.312 Furnishing facilities and services within the
 675 spaceport territory.--Space Florida~~The authority~~ shall have the
 676 power to construct, develop, create, maintain, and operate its
 677 projects within the geographical limits of the spaceport
 678 territory, including any portions of the spaceport territory
 679 located inside the boundaries of any incorporated municipality or
 680 other political subdivision, and to offer, supply, and furnish
 681 the facilities and services provided for in this act to, and to
 682 establish and collect fees, rentals, and other charges from,
 683 persons, public or private, within the geographical limits of the
 684 spaceport territory and for the use of Space Florida~~the~~
 685 ~~authority~~ itself.

686 Section 13. Section 331.313, Florida Statutes, is amended
 687 to read:

BILL

ORIGINAL

YEAR

688 331.313 Power of Space Florida ~~the authority~~ with respect
 689 to roads.--Within the territorial limits of any spaceport
 690 territory, Space Florida ~~the authority~~ has the right to acquire,
 691 through purchase or interagency agreement, or as otherwise
 692 provided in law, and to construct, control, and maintain, roads
 693 deemed necessary by Space Florida ~~the authority~~ and connections
 694 thereto and extensions thereof now or hereafter acquired,
 695 constructed, or maintained in accordance with established highway
 696 safety standards; provided that, in the event a road being
 697 addressed by Space Florida ~~the authority~~ is owned by another
 698 agency or jurisdiction, Space Florida ~~the authority~~, prior to
 699 proceeding with the proposed project or work activity, shall have
 700 either coordinated the desired work with the owning agency or
 701 jurisdiction or shall have successfully executed an interagency
 702 agreement with the owning agency or jurisdiction.

703 Section 14. Section 331.314, Florida Statutes, is amended
 704 to read:

705 331.314 Exclusive authority.--This act specifically
 706 provides that Space Florida ~~the authority~~ shall have exclusive
 707 power and authority to regulate spaceports in the state.

708 Section 15. Section 331.315, Florida Statutes, is amended
 709 to read:

710 331.315 Maintenance of projects across rights-of-way.--
 711 Space Florida ~~The authority~~ shall have the right to construct and
 712 operate its projects in, along, or under any streets, alleys,
 713 highways, or other public places or ways, and across any drain,
 714 ditch, canal, floodway, holding basin, excavation, railroad
 715 right-of-way, track, grade, fill, or cut; provided, however, that
 716 just compensation, including fees, shall be paid by Space Florida

BILL

ORIGINAL

YEAR

~~the authority~~ for any damages or private property taken by the exercise of such power.

Section 16. Section 331.316, Florida Statutes, is amended to read:

331.316 Rates, fees, rentals, tolls, fares, and charges; procedure for adoption and modification; minimum revenue requirements.--

(1) To recover the costs of the spaceport facility or system, Space Florida~~the authority~~ shall have the power to prescribe, fix, establish, and collect rates, fees, rentals, tolls, fares, or other charges (hereinafter referred to as "revenues"), and to revise the same from time to time, for the facilities and services furnished or to be furnished by Space Florida~~the authority~~ and the spaceport, including, but not limited to, launch pads, ranges, payload assembly and processing facilities, visitor and tourist facilities, transportation facilities, and parking and other related facilities, and shall have the power to provide for reasonable penalties against any user or property for any such rates, fees, rentals, tolls, fares, or other charges that are delinquent.

(2) The board shall have the power to enter into contracts for the use of the projects of Space Florida~~the authority~~ and for the services and facilities furnished or to be furnished by Space Florida~~the authority~~, including, but not limited to, launch services, payload assembly and processing, and other space-related services, for such consideration and on such other terms and conditions as the board may approve. Such contracts, and revenues or service charges received or to be received by

BILL

ORIGINAL

YEAR

745 Space Florida ~~the authority~~ thereunder, may be pledged as
746 security for any of the bonds of Space Florida ~~the authority~~.

747 Section 17. Section 331.317, Florida Statutes, is amended
748 to read:

749 331.317 Recovery of delinquent charges.--In the event that
750 any of the rates, fees, rentals, tolls, fares, other charges, or
751 delinquent penalties shall not be paid as and when due and shall
752 be in default for 30 days or more, the unpaid balance thereof and
753 all interest accrued thereon, together with attorney's fees and
754 costs, may be recovered by Space Florida ~~the authority~~ in a civil
755 action.

756 Section 18. Section 331.318, Florida Statutes, is amended
757 to read:

758 331.318 Discontinuance of service.--In the event that the
759 rates, fees, rentals, tolls, fares, or other charges for the
760 services and facilities of any project are not paid when due, the
761 board shall have the power to discontinue and shut off the same
762 until such rates, fees, rentals, tolls, fares, or other charges,
763 including interest, penalties, and charges for the shutting off
764 and discontinuance and the restoration of such services and
765 facilities, are fully paid. Such delinquent rates, fees, rentals,
766 tolls, fares, or other charges, together with interest,
767 penalties, and charges for the shutting off and discontinuance
768 and the restoration of such services and facilities, and
769 reasonable attorney's fees and other expenses, may be recovered
770 by Space Florida ~~the authority~~ by suit in any court of competent
771 jurisdiction. Space Florida ~~The authority~~ may also enforce
772 payment of such delinquent rates, fees, rentals, tolls, fares, or
773 other charges by any other lawful method of enforcement.

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ORIGINAL

YEAR

774 Section 19. Section 331.321, Florida Statutes, is amended
775 to read:

776 331.321 Federal and other funds and aid.--Space Florida~~The~~
777 ~~authority~~ is authorized to accept, receive, and receipt for
778 federal moneys, property, and other moneys or properties, either
779 public or private, for the acquisition, planning, operation,
780 construction, enlargement, improvement, maintenance, equipment,
781 or development of programs, facilities, and sites therefor, and
782 to comply with the provisions of the laws of the United States
783 and any rules and regulations made thereunder for the expenditure
784 of federal moneys.

785 Section 20. Section 331.322, Florida Statutes, is amended
786 to read:

787 331.322 Agreements with municipalities within any spaceport
788 territory.--The board and the governing body or bodies of any one
789 or more municipalities located wholly or partly within any
790 spaceport territory, whether now in existence or hereafter
791 created, are authorized to enter into and carry into effect
792 contracts and agreements relating to the common powers, duties,
793 and functions of the board and other officers, agents, and
794 employees of Space Florida~~the authority~~, and the respective
795 governing body or bodies of one or more such municipalities, and
796 their respective officers, agents, and employees, to the end that
797 there may be effective cooperation between and coordination of
798 the efforts of such municipality or municipalities and Space
799 Florida~~the authority~~ in discharging their common functions,
800 powers, and duties and in rendering services to the respective
801 residents and property owners of such municipality or
802 municipalities and Space Florida~~the authority~~. The board and the

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ORIGINAL

YEAR

803 governing body or bodies of one or more such municipalities are
804 further authorized to enter into and carry into effect contracts
805 and agreements for the performance of any of their common
806 functions, powers, and duties by a central agency or common agent
807 of the contracting parties.

808 Section 21. Subsections (1) through (3) of section 331.323,
809 Florida Statutes, are amended to read:

810 331.323 Cooperative agreements with the state, counties,
811 and municipalities.--

812 (1) The state and the counties, municipalities, and other
813 political subdivisions, public bodies, and agencies thereof, or
814 any of them, whether now existing or hereafter created, are
815 authorized to aid and cooperate with Space Florida~~the authority~~
816 in carrying out any of the purposes and projects of Space Florida
817 ~~the authority~~, to enter into cooperative agreements with Space
818 Florida~~the authority~~, to provide in any such cooperative
819 agreement for the making of loans, gifts, grants, or
820 contributions to Space Florida~~the authority~~ and the granting and
821 conveyance to Space Florida~~the authority~~ of real or personal
822 property of any kind or nature, or any interest therein, for the
823 carrying out of the purpose and projects of Space Florida~~the~~
824 ~~authority~~; to covenant in any such cooperative agreement to pay
825 all or any part of the costs of acquisition, planning,
826 development, construction, reconstruction, extension,
827 improvement, operation, and maintenance of any projects of Space
828 Florida~~the authority~~; and to pay all or any part of the
829 principal and interest on any bonds of Space Florida~~the~~
830 ~~authority~~.

BILL

ORIGINAL

YEAR

831 (2) The state and the counties, municipalities, and other
832 political subdivisions, public bodies, and agencies thereof, or
833 any of them, whether now existing or hereafter created, and Space
834 Florida ~~the authority~~ created by this act, are further authorized
835 to enter into cooperative agreements to provide for the
836 furnishing by Space Florida ~~the authority~~ to the state or any
837 county, municipality, or other political subdivision, public
838 body, or agency thereof of any of the facilities and services of
839 Space Florida ~~the authority~~, or by the state or any county,
840 municipality, or other political subdivision, public body, or
841 agency thereof to Space Florida ~~the authority~~ and to persons
842 within the spaceport territory of facilities and services of the
843 type that Space Florida ~~the authority~~ is authorized to furnish or
844 undertake, or such other facilities and services as may be
845 determined necessary or desirable by the board for the carrying
846 out of the purposes of this act. Without limitation of the
847 foregoing, such cooperative agreements may provide for the
848 furnishing by any county, municipality, or other political
849 subdivision of fire and police protection for Space Florida ~~the~~
850 ~~authority~~ and persons and property within Space Florida ~~the~~
851 ~~authority~~, and for the providing to Space Florida ~~the authority~~
852 of any services deemed necessary or desirable by the board for
853 the proper functioning of Space Florida ~~the authority~~.

854 (3) Without limitation of the foregoing, the board may
855 undertake and finance any of the projects of Space Florida ~~the~~
856 ~~authority~~, in whole or in part, jointly with any municipality or
857 municipalities, now existing or hereafter created, or in any
858 other manner combine the projects of Space Florida ~~the authority~~
859 with the projects of such municipality or municipalities.

BILL

ORIGINAL

YEAR

860 Section 22. Section 331.324, Florida Statutes, is amended
861 to read:

862 331.324 Contracts, grants, and contributions.--Space
863 Florida~~The authority~~ shall have the power to make and enter all
864 contracts and agreements necessary or incidental to the
865 performance of the functions of Space Florida~~the authority~~ and
866 the execution of its powers, and to contract with, and to accept
867 and receive grants or loans of money, material, or property from,
868 any person, private or public, as the board shall determine to be
869 necessary or desirable to carry out the purposes of this act, and
870 in connection with any such contract, grant, or loan to stipulate
871 and agree to such covenants, terms, and conditions as the board
872 shall deem appropriate.

873 Section 23. Section 331.325, Florida Statutes, is amended
874 to read:

875 331.325 Environmental permits.--Space Florida~~The authority~~
876 shall obtain required environmental permits in accordance with
877 federal and state law and shall comply with the provisions of
878 chapter 380.

879 Section 24. Section 331.326, Florida Statutes, is amended
880 to read:

881 331.326 Information relating to trade secrets
882 confidential.--The records of Space Florida~~the authority~~
883 regarding matters encompassed by this act are public records
884 subject to the provisions of chapter 119. Any information held by
885 Space Florida~~the authority~~ which is a trade secret, as defined
886 in s. 812.081, including trade secrets of Space Florida~~the~~
887 ~~authority~~, any spaceport user, or the space industry business, is
888 confidential and exempt from the provisions of s. 119.07(1) and

BILL

ORIGINAL

YEAR

889 s. 24(a), Art. I of the State Constitution and may not be
 890 disclosed. If Space Florida ~~the authority~~ determines that any
 891 information requested by the public will reveal a trade secret,
 892 it shall, in writing, inform the person making the request of
 893 that determination. The determination is a final order as defined
 894 in s. 120.52. Any meeting or portion of a meeting of Space
 895 Florida's ~~the authority's~~ board of supervisors is exempt from the
 896 provisions of s. 286.011 and s. 24(b), Art. I of the State
 897 Constitution when the board is discussing trade secrets. Any
 898 public record generated during the closed portions of such
 899 meetings, such as minutes, tape recordings, and notes, is
 900 confidential and exempt from the provisions of s. 119.07(1) and
 901 s. 24(a), Art. I of the State Constitution.

902 Section 25. Section 331.327, Florida Statutes, is amended
 903 to read:

904 331.327 Foreign trade zone.--Space Florida ~~The authority~~
 905 shall have the power to apply to the Federal Government for a
 906 grant allowing the designation of any spaceport territory as a
 907 foreign trade zone pursuant to ss. 288.36 and 288.37. However,
 908 the designation of any spaceport territory as a foreign trade
 909 zone shall not be deemed to authorize an exemption from any tax
 910 imposed by the state or by any political subdivision, agency, or
 911 instrumentality thereof.

912 Section 26. Section 331.328, Florida Statutes, is amended
 913 to read:

914 331.328 Sovereign immunity.-- Space Florida ~~The authority~~
 915 shall be granted sovereign immunity in the same manner as the
 916 state under the laws and Constitution of the State of Florida.
 917 The state, by this section, hereby waives the sovereign immunity

BILL

ORIGINAL

YEAR

918 | granted to the same extent as waived by the state under state
919 | law.

920 | Section 27. Subsections (2) through (4) of section 331.329,
921 | Florida Statutes, are amended to read:

922 | 331.329 Changing boundary lines; annexation and exclusion
923 | of lands; creation of municipalities within the geographical
924 | limits of any spaceport territory; limitations on the furnishing
925 | of services within annexed areas.--

926 | (2) Land, including property situated thereon, added to any
927 | spaceport territory in the manner provided in subsection (1)
928 | shall from the time of its inclusion within such spaceport
929 | territory be subject to all assessments thereafter levied and
930 | assessed on all other land or property of any spaceport territory
931 | similarly situated. Land, including property situated thereon,
932 | excluded from any spaceport territory in the manner provided in
933 | subsection (1) shall from the date of such exclusion be exempt
934 | from assessments thereafter imposed by Space Florida~~the~~
935 | ~~authority~~ but shall not be exempt from assessments theretofore
936 | levied or due with respect to such land or property, or from
937 | subsequent installments of assessments theretofore levied or
938 | assessed with respect thereto, and such assessments may be
939 | enforced and collected by or on behalf of Space Florida~~the~~
940 | ~~authority~~ in the same manner as if such land or property
941 | continued to be within the geographical limits of any spaceport
942 | territory.

943 | (3) In the event that the geographical limits of any
944 | spaceport territory as set forth in s. 331.304 are revised so as
945 | to include within any spaceport territory any areas not presently
946 | contained within any spaceport territory, Space Florida~~the~~

BILL

ORIGINAL

YEAR

947 | ~~authority~~ shall not engage in the business of furnishing electric
 948 | power for sale in such annexed area, unless Space Florida~~the~~
 949 | ~~authority~~ shall offer to purchase from any person who is at the
 950 | time engaged in the business of making, generating, or
 951 | distributing electricity for sale within such annexed area, such
 952 | portion of its electric plant and property suitable and used for
 953 | such business in connection therewith as lies within the limits
 954 | of such annexed area, in a manner consistent with law.

955 | (4) Space Florida~~The authority~~ shall designate new launch
 956 | pads outside the present designated spaceport territories by
 957 | statutory amendment of s. 331.304.

958 | Section 28. Section 331.331, Florida Statutes, is amended
 959 | to read:

960 | 331.331 Revenue bonds.--

961 | (1) Revenue bonds issued by Space Florida~~the authority~~
 962 | shall not be deemed revenue bonds issued by the state or its
 963 | agencies for purposes of s. 11, Art. VII of the State
 964 | Constitution and ss. 215.57-215.83. Space Florida~~The authority~~
 965 | shall include in its annual report to the Governor and
 966 | Legislature, as provided in s. 331.310, a summary of the status
 967 | of existing and proposed bonding projects.

968 | (2) The issuance of revenue bonds may be secured by or
 969 | payable from the gross or net pledge of the revenues to be
 970 | derived from any project or combination of projects, from the
 971 | rates, fees, rentals, tolls, fares, or other charges to be
 972 | collected from the users of any project or projects; from any
 973 | revenue-producing undertaking or activity of Space Florida~~the~~
 974 | ~~authority~~; or from any source of pledged security. Such bonds
 975 | shall not constitute an indebtedness of Space Florida~~the~~

BILL	ORIGINAL	YEAR
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976	authority unless such bonds are additionally secured by the full	
977	faith and credit of <u>Space Florida</u> the authority . Bonds issued by	
978	<u>Space Florida</u> the authority are not secured by the full faith and	
979	credit of the State of Florida and do not constitute an	
980	obligation, either general or special, thereof.	

981	(3) Any two or more projects may be combined and	
982	consolidated into a single project, and may thereafter be	
983	operated and maintained as a single project. The revenue bonds	
984	authorized herein may be issued to finance any one or more such	
985	projects separately, or to finance two or more such projects,	
986	regardless whether or not such projects have been combined and	
987	consolidated into a single project. If the board deems it	
988	advisable, the proceedings authorizing such revenue bonds may	
989	provide that <u>Space Florida</u> the authority may thereafter combine	
990	the projects then being financed or theretofore financed with	
991	other projects to be subsequently financed by <u>Space Florida</u> the	
992	authority shall be on a parity with the revenue bonds then being	
993	issued, all on such terms, conditions, and limitations as shall	
994	be provided, and may further provide that the revenues to be	
995	derived from the subsequent projects shall at the time of the	
996	issuance of such parity revenue bonds be also pledged to the	
997	holders of any revenue bonds theretofore issued to finance the	
998	revenue undertakings which are later combined with such	
999	subsequent projects. <u>Space Florida</u> The authority may pledge for	
1000	the security of the revenue bonds a fixed amount, without regard	
1001	to any fixed proportion of the gross revenues of any project.	

1002	Section 29. Section 331.333, Florida Statutes, is amended	
1003	to read:	

BILL

ORIGINAL

YEAR

1004 331.333 Refunding bonds.--Space Florida~~The authority~~
1005 through its board shall have the power to issue bonds to provide
1006 for the retirement or refunding of any bonds or obligations of
1007 Space Florida~~the authority~~ that at the time of such issuance are
1008 or subsequently thereto become due and payable, or that at the
1009 time of issuance have been called or are or will be subject to
1010 call for redemption within 10 years thereafter, or the surrender
1011 of which can be procured from the holders thereof at prices
1012 satisfactory to the board. Refunding bonds may be issued at any
1013 time when in the judgment of the board such issuance will be
1014 advantageous to Space Florida~~the authority~~. The provisions of
1015 this act pertaining to bonds of Space Florida~~the authority~~
1016 shall, unless the context otherwise requires, govern the issuance
1017 of refunding bonds, the form and other details thereof, the
1018 rights of the holders thereof, and the duties of the board with
1019 respect to the same.

1020 Section 30. Section 331.334, Florida Statutes, is amended
1021 to read:

1022 331.334 Pledging assessments and other revenues and
1023 properties as additional security on bonds.--Space Florida~~The~~
1024 ~~authority~~ may pledge as additional security for the payment of
1025 any of the bonds of Space Florida~~the authority~~ its full faith
1026 and credit, and provide that such bonds shall be payable as to
1027 both principal and interest, and as to any reserve or other funds
1028 provided therefor, to the full extent that any revenues as
1029 defined in this act, assessments, or other funds, or any
1030 combination thereof, pledged therefor are insufficient for the
1031 full payment of the same, and provided further that no bonds
1032 shall be issued to the payment of which the full faith and credit

BILL

ORIGINAL

YEAR

1033 of Space Florida ~~the authority~~ is pledged unless approved at an
 1034 election in the manner provided by law. Space Florida ~~The~~
 1035 ~~authority~~ by resolution of the board may also pledge as
 1036 additional security for said bonds the revenues from any project
 1037 of Space Florida ~~the authority~~, utility service, assessments, and
 1038 any other sources of revenue or funds, or any combination of the
 1039 foregoing, and may pledge or mortgage any of the properties,
 1040 rights, interest, or other assets of Space Florida ~~the authority~~.
 1041 Bonds issued by Space Florida ~~the authority~~ are not secured by
 1042 the full faith and credit of the State of Florida and do not
 1043 constitute an obligation, either general or special, thereof. The
 1044 board may also provide with respect to any bonds of Space Florida
 1045 ~~the authority~~ that such bonds shall be payable, in whole or in
 1046 part, as to principal amount or interest, or both, out of rates,
 1047 fees, rentals, tolls, fares, or other charges collected with
 1048 respect to any of the projects of Space Florida ~~the authority~~.
 1049 Section 31. Section 331.335, Florida Statutes, is amended
 1050 to read:
 1051 331.335 Lien of pledges.--All pledges of revenues and
 1052 assessments made pursuant to the provisions of this act shall be
 1053 valid and binding from the time when such pledges are made. All
 1054 such revenues and assessments so pledged and thereafter collected
 1055 shall immediately be subject to the lien of such pledges without
 1056 any physical delivery thereof or further action, and the lien of
 1057 such pledges shall be valid and binding as against all parties
 1058 having claims of any kind in tort, contract, or otherwise against
 1059 Space Florida ~~the authority~~, irrespective of whether such parties
 1060 have notice thereof.

BILL

ORIGINAL

YEAR

1061 Section 32. Section 331.336, Florida Statutes, is amended
1062 to read:

1063 331.336 Issuance of bond anticipation notes.--In addition
1064 to the other powers provided for in this act and not in
1065 limitation thereof, Space Florida~~the authority~~ shall have the
1066 power, at any time from time to time after the issuance of any
1067 bonds of Space Florida~~the authority~~ shall have been authorized,
1068 to borrow money for the purposes for which such bonds are to be
1069 issued in anticipation of the receipt of the proceeds of the sale
1070 of such bonds and to issue bond anticipation notes in a principal
1071 amount not in excess of the authorized maximum amount of such
1072 bond issue. Such notes shall be in such denomination or
1073 denominations, bear interest at such rate or rates, mature at
1074 such time or times, be renewable for such additional term or
1075 terms, and be in such form and executed in such manner as the
1076 board shall prescribe. Such notes may be sold at public sale, or
1077 if such notes shall be renewable notes, may be exchanged for
1078 notes then outstanding on such terms as the board shall
1079 determine. Such notes shall be paid from the proceeds of such
1080 bonds when issued. The board may in its discretion, in lieu of
1081 retiring the notes by means of bonds, retire them by means of
1082 current revenues or from any assessments levied for the payment
1083 of such bonds, but in such event a like amount of the bonds
1084 authorized shall not be issued.

1085 Section 33. Section 331.337, Florida Statutes, is amended
1086 to read:

1087 331.337 Short-term borrowing.--Space Florida~~The authority~~
1088 at any time may obtain loans, in such amount and on such terms
1089 and conditions as the board may approve, for the purpose of

BILL

ORIGINAL

YEAR

1090 paying any of the expenses of Space Florida~~the authority~~ or any
 1091 costs incurred or that may be incurred in connection with any of
 1092 the projects of Space Florida~~the authority~~, which loans shall
 1093 have such term or terms, be renewable for such term or terms,
 1094 bear interest at such rate or rates, and be payable from and
 1095 secured by a pledge of such funds, revenues, and assessments as
 1096 the board may determine. For the purpose of defraying such costs
 1097 and expenses, Space Florida~~the authority~~ may issue negotiable
 1098 notes, warrants, or other evidences of debt signed on behalf of
 1099 Space Florida~~the authority~~ by any one of the board, such notes
 1100 or other evidences of indebtedness to be payable at such time or
 1101 times, to bear interest at such rate or rates, and to be sold or
 1102 discounted at such price or prices and on such term or terms as
 1103 the board may deem advisable. The board shall have the right to
 1104 provide for the payment thereof by pledging the whole or any part
 1105 of the funds, revenues, and assessments of Space Florida~~the~~
 1106 ~~authority~~.

1107 Section 34. Section 331.338, Florida Statutes, is amended
 1108 to read:

1109 331.338 Trust agreements.--In the discretion of the board,
 1110 any issue of bonds may be secured by a trust agreement by and
 1111 between Space Florida~~the authority~~ and a corporate trustee which
 1112 may be any trust company or bank having the powers of a trust
 1113 company within or without the state. The resolution authorizing
 1114 the issuance of the bonds or such trust agreement may pledge the
 1115 revenues to be received from any projects of Space Florida~~the~~
 1116 ~~authority~~ and any other authorized moneys to be used for the
 1117 repayment of bonds, and may contain such provisions for
 1118 protecting and enforcing the rights and remedies of the

BILL	ORIGINAL	YEAR
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1119	bondholders as the board may approve, including without	
1120	limitation covenants setting forth the duties of <u>Space Florida</u>	
1121	the authority in relation to the acquisition, planning,	
1122	development, construction, reconstruction, improvement,	
1123	maintenance, repair, operation, and insurance of any projects,	
1124	the fixing and revision of the rates, fees, rentals, tolls,	
1125	fares, and charges, and the custody, safeguarding, and	
1126	application of all moneys, and for the employment of consulting	
1127	engineers in connection with such acquisition, planning,	
1128	development, construction, reconstruction, improvement,	
1129	maintenance, repair, or operation. It shall be lawful for any	
1130	bank or trust company incorporated under the laws of the state or	
1131	the United States which may act as a depository of the proceeds	
1132	of bonds or of revenues to furnish such indemnifying bonds or to	
1133	pledge such securities as may be required by <u>Space Florida</u> the	
1134	authority . Such resolution or trust agreement may set forth the	
1135	rights and remedies of the bondholders and of the trustee, if	
1136	any, and may restrict the individual right of action by	
1137	bondholders. The board may provide for the payment of the	
1138	proceeds of the sale of the bonds and the revenues of any project	
1139	to such officer, board, or depository as it may designate for the	
1140	custody thereof, and for the method of disbursement thereof, with	
1141	such safeguards and restrictions as it may determine. All	
1142	expenses incurred in carrying out the provisions of such	
1143	resolution or trust agreement may be treated as part of the cost	
1144	of the project to which such trust agreement pertains.	
1145	Section 35. Section 331.339, Florida Statutes, is amended	
1146	to read:	

BILL

ORIGINAL

YEAR

1147 331.339 Sale of bonds.--Bonds may be sold in blocks or
1148 installments at different times, or an entire issue or series may
1149 be sold at one time. Bonds may only be sold at public sale after
1150 being advertised and publicly noticed, unless Space Florida~~the~~
1151 ~~authority~~ has previously complied with the provisions of s.
1152 218.385. Bonds may be sold or exchanged for refunding bonds.
1153 Special assessment and revenue bonds may be delivered as payment
1154 by Space Florida~~the authority~~ of the purchase price or lease of
1155 any project or part thereof, or a combination of projects or
1156 parts thereof, or as the purchase price of, or exchange for, any
1157 property, real, personal, or mixed, including franchises, or
1158 services rendered by any contractor, engineer, or other person,
1159 all at one time or in blocks from time to time, in such manner
1160 and upon such terms as the board in its discretion shall
1161 determine. The price or prices for any bonds sold, exchanged, or
1162 delivered may be:

1163 (1) The money paid for the bonds.

1164 (2) The principal amount, plus accrued interest to date of
1165 redemption or exchange, of outstanding obligations exchanged for
1166 refunding bonds.

1167 (3) In the case of special assessment or revenue bonds, the
1168 amount of any indebtedness to contractors or other persons paid
1169 with such bonds, or the fair value of any properties exchanged
1170 for the bonds, as determined by the board.

1171 Section 36. Section 331.340, Florida Statutes, is amended
1172 to read:

1173 331.340 Authorization and form of bonds.--Bonds may be
1174 authorized by resolution or resolutions of the board which shall
1175 be adopted by a majority of all of the members thereof then in

BILL

ORIGINAL

YEAR

1176 office and present at the meeting at which the resolution or
 1177 resolutions are adopted and shall be approved as provided in s.
 1178 331.305. The resolution or resolutions of the board may be
 1179 adopted at the same meeting at which they are introduced, and
 1180 shall be published and noticed. The board may by resolution
 1181 authorize the issuance of bonds, fix the aggregate amount of
 1182 bonds to be issued, the purpose or purposes for which the moneys
 1183 derived therefrom shall be expended, the rate or rates of
 1184 interest, the denomination of the bonds, whether or not the bonds
 1185 are to be issued in one or more series, the date or dates
 1186 thereof, the date or dates of maturity, which shall not exceed 40
 1187 years from their respective dates of issuance, the medium of
 1188 payment, the place or places within or without the state where
 1189 payment shall be made, registration privileges, redemption terms
 1190 and privileges (whether with or without premium), the manner of
 1191 execution, the form of the bonds including any interest coupons
 1192 to be attached thereto, the manner of execution of bonds and
 1193 coupons, and any and all other terms, covenants, and conditions
 1194 thereof, and the establishment of reserve or other funds. Such
 1195 authorizing resolution may further provide that such bonds may be
 1196 executed manually or by engraved, lithographed, or facsimile
 1197 signature, provided that where signatures are engraved,
 1198 lithographed, or facsimile no bond shall be valid unless
 1199 countersigned by a registrar or other officer designated by
 1200 appropriate resolution of the board. The seal of Space Florida
 1201 ~~the authority~~ may be affixed, lithographed, engraved, or
 1202 otherwise reproduced in facsimile on such bonds. In case any
 1203 officer whose signature or a facsimile of whose signature shall
 1204 appear on any bonds or coupons shall cease to be such officer

BILL

ORIGINAL

YEAR

1205 before the delivery of such bonds, such signature or facsimile
 1206 shall nevertheless be valid and sufficient for all purposes the
 1207 same as if the officer had remained in office until such
 1208 delivery.

1209 Section 37. Section 331.343, Florida Statutes, is amended
 1210 to read:

1211 331.343 Defeasance.--The board may make such provision with
 1212 respect to the defeasance of the right, title, and interest of
 1213 the holders of any of the bonds and obligations of Space Florida
 1214 ~~the authority~~ in any revenues, funds, or other properties by
 1215 which such bonds are secured as the board deems appropriate and,
 1216 without limitation on the foregoing, may provide that when such
 1217 bonds or obligations become due and payable or shall have been
 1218 called for redemption, and the whole amount of the principal and
 1219 the interest and premium, if any, due and payable upon the bonds
 1220 or obligations when outstanding shall be paid, or sufficient
 1221 moneys or direct obligations of the United States Government the
 1222 principal of and the interest on which when due will provide
 1223 sufficient moneys, shall be held or deposited in trust for such
 1224 purpose, and provision shall also be made for paying all other
 1225 sums payable in connection with such bonds or other obligations,
 1226 then and in such event the right, title, and interest of the
 1227 holders of the bonds in any revenues, funds, or other properties
 1228 by which such bonds are secured shall thereupon cease, terminate,
 1229 and become void; and the board may apply any surplus in any
 1230 sinking fund established in connection with such bonds or
 1231 obligations and all balances remaining in all other funds or
 1232 accounts other than money held for the redemption or payment of

BILL

ORIGINAL

YEAR

1233 the bonds or other obligations to any lawful purpose of Space
 1234 Florida~~the authority~~ as the board shall determine.
 1235 Section 38. Section 331.345, Florida Statutes, is amended
 1236 to read:
 1237 331.345 Covenants.--Any resolution authorizing the issuance
 1238 of bonds may contain such covenants as the board may deem
 1239 advisable and all such covenants shall constitute valid and
 1240 legally binding and enforceable contracts between Space Florida
 1241 ~~the authority~~ and the bondholders, regardless of the time of
 1242 issuance thereof. Such covenants may include, without limitation,
 1243 covenants concerning the disposition of the bond proceeds, the
 1244 use and disposition of project revenues, the pledging of
 1245 revenues, and assessments, the obligations of Space Florida~~the~~
 1246 ~~authority~~ with respect to the operation of the project and the
 1247 maintenance of adequate project revenues, the issuance of
 1248 additional bonds, the appointment, powers, and duties of trustees
 1249 and receivers, the acquisition of outstanding bonds and
 1250 obligations, restrictions on the establishing of competing
 1251 projects or facilities, restrictions on the sale or disposal of
 1252 the assets and property of Space Florida~~the authority~~, the
 1253 priority of assessment liens, the priority of claims by
 1254 bondholders on the taxing power of Space Florida~~the authority~~,
 1255 the maintenance of deposits to assure the payment of revenues by
 1256 users of spaceport facilities and services, the discontinuance of
 1257 Space Florida~~authority~~ services by reason of delinquent
 1258 payments, acceleration upon default, the execution of necessary
 1259 instruments, the procedure for amending or abrogating covenants
 1260 with the bondholders, and such other covenants as may be deemed
 1261 necessary or desirable for the security of the bondholders.

BILL

ORIGINAL

YEAR

1262 Section 39. Section 331.346, Florida Statutes, is amended
1263 to read:

1264 331.346 Validity of bonds; validation proceedings.--Any
1265 bonds issued by Space Florida~~the authority~~ shall be
1266 incontestable in the hands of bona fide purchasers or holders for
1267 value and shall not be invalid because of any irregularity or
1268 defect in the proceedings for the issue and sale thereof. Prior
1269 to the issuance of any bonds, Space Florida~~the authority~~ shall
1270 publish a notice at least once in a newspaper or newspapers
1271 published or of general circulation in the appropriate counties
1272 in the state, stating the date of adoption of the resolution
1273 authorizing such obligations, the amount, maximum rate of
1274 interest, and maturity of such obligations, and the purpose in
1275 general terms for which such obligations are to be issued, and
1276 further stating that no action or proceeding questioning the
1277 validity of such obligations or of the proceedings authorizing
1278 the issuance thereof, or of any covenants made therein, must be
1279 instituted within 20 days after the first publication of such
1280 notice, or the validity of such obligations, proceedings, and
1281 covenants shall not be thereafter questioned in any court
1282 whatsoever. If no such action or proceeding is so instituted
1283 within such 20-day period, then the validity of such obligations,
1284 proceedings, and covenants shall be conclusive, and all persons
1285 or parties whatsoever shall be forever barred from questioning
1286 the validity of such obligations, proceedings, or covenants in
1287 any court whatsoever.

1288 Section 40. Section 331.347, Florida Statutes, is amended
1289 to read:

BILL

ORIGINAL

YEAR

1290 331.347 Act furnishes full authority for issuance of
 1291 bonds.--This act constitutes full and complete authority for the
 1292 issuance of bonds and the exercise of the powers of Space Florida
 1293 ~~the authority~~ provided herein. Any and all bonds issued by Space
 1294 Florida ~~the authority~~ shall not be secured by the full faith and
 1295 credit of the State of Florida and do not constitute an
 1296 obligation, either general or special, thereof.

1297 Section 41. Section 331.348, Florida Statutes, is amended
 1298 to read:

1299 331.348 Investment of funds.--The board may in its
 1300 discretion invest funds of Space Florida ~~the authority~~ through
 1301 the Chief Financial Officer or in:

1302 (1) Direct obligations of or obligations guaranteed by the
 1303 United States or for the payment of the principal and interest of
 1304 which the faith and credit of the United States is pledged;

1305 (2) Bonds or notes issued by any of the following federal
 1306 agencies: Bank for Cooperatives; federal intermediate credit
 1307 banks; federal home loan bank system; federal land banks; or the
 1308 Federal National Mortgage Association (including debentures or
 1309 participating certificates issued by such association);

1310 (3) Public housing bonds issued by public housing
 1311 authorities and secured by a pledge or annual contributions under
 1312 an annual contribution contract or contracts with the United
 1313 States;

1314 (4) Bonds or other interest-bearing obligations of any
 1315 county, district, city, or town located in the state for which
 1316 the full faith and credit of such political subdivision is
 1317 pledged;

BILL

ORIGINAL

YEAR

1318 (5) Any investment authorized for insurers by ss. 625.306-
1319 625.316 and amendments thereto; or

1320 (6) Any investment authorized under s. 17.57 and amendments
1321 thereto.

1322 Section 42. Section 331.349, Florida Statutes, is amended
1323 to read:

1324 331.349 Fiscal year of Space Florida ~~the authority~~.--The
1325 board has the power to establish and from time to time
1326 redetermine the fiscal year of Space Florida ~~the authority~~.
1327 Unless the board otherwise provides, Space Florida's ~~the~~
1328 ~~authority's~~ fiscal year shall be July 1 through June 30.

1329 Section 43. Section 331.350, Florida Statutes, is amended
1330 to read:

1331 331.350 Insurance coverage of Space Florida ~~the authority~~;
1332 safety program.--

1333 (1) Notwithstanding any other provision of law, the State
1334 Risk Management Trust Fund established under s. 284.30 shall not
1335 insure buildings and property owned or leased by Space Florida
1336 ~~the authority~~.

1337 (2) Notwithstanding any other provision of law, the State
1338 Risk Management Trust Fund established under s. 284.30 shall not
1339 insure against any liability of Space Florida ~~the authority~~.

1340 (3) Space Florida ~~The authority~~ shall establish a safety
1341 program. The safety program shall include:

1342 (a) The development and implementation of a loss prevention
1343 program which shall consist of a comprehensive authoritywide
1344 safety program, including a statement, established by the board
1345 of supervisors, of safety policy and responsibility.

BILL

ORIGINAL

YEAR

1346 (b) Provision for regular and periodic facility and
1347 equipment inspections.

1348 (c) Investigation of job-related employee accidents and
1349 other accidents occurring on the premises of Space Florida~~the~~
1350 ~~authority~~ or within areas of its jurisdiction.

1351 (d) Establishment of a program to promote increased safety
1352 awareness among employees, agents, and subcontractors of Space
1353 Florida~~the authority~~.

1354 (4)

1355 (a) Space Florida~~The authority~~ shall, if available, secure
1356 insurance coverage within reasonable limits for liability which
1357 may arise as a consequence of its responsibilities.

1358 (b) Space Florida~~The authority~~ shall, if available, and if
1359 cost-effective, secure insurance coverage on its buildings,
1360 facilities, and property at reasonable levels.

1361 (c) Space Florida~~The authority~~, with respect to the
1362 purchase of insurance, shall be subject to the applicable
1363 provisions of chapter 287 and other applicable law.

1364 Section 44. Section 331.351, Florida Statutes, is amended
1365 to read:

1366 331.351 Participation by women, minorities, and socially
1367 and economically disadvantaged business enterprises encouraged.--
1368 It is the intent of the Legislature and the public policy of this
1369 state that women, minorities, and socially and economically
1370 disadvantaged business enterprises be encouraged to participate
1371 fully in all phases of economic and community development.
1372 Accordingly, to achieve such purpose, Space Florida~~the authority~~
1373 shall, in accordance with applicable state and federal law,
1374 involve and utilize women, minorities, and socially and

BILL

ORIGINAL

YEAR

1375 economically disadvantaged business enterprises in all phases of
1376 the design, development, construction, maintenance, and operation
1377 of spaceports developed under this act.

1378 Section 45. Section 331.354, Florida Statutes, is amended
1379 to read:

1380 331.354 Tax exemption.--The exercise of the powers granted
1381 by this act in all respects shall be for the benefit of the
1382 people of the state, for the increase of their industry and
1383 prosperity, for the improvement of their health and living
1384 conditions, and for the provision of gainful employment and shall
1385 constitute the performance of essential public functions. Space
1386 Florida~~The authority~~ shall not be required to pay any taxes on
1387 any project or any other property owned by Space Florida~~the~~
1388 ~~authority~~ under the provisions of this act or upon the income
1389 therefrom. The bonds issued under the provisions of this act or
1390 upon the income therefrom (including any profit made on the sale
1391 thereof), and all notes, mortgages, security agreements, letters
1392 of credit, or other instruments which arise out of or are given
1393 to secure the repayment of bonds issued in connection with a
1394 project financed under this act, shall at all times be free from
1395 taxation by the state or any local unit, political subdivision,
1396 or other instrumentality of the state. Nothing in this section,
1397 however, shall be construed as exempting from taxation or
1398 assessments the leasehold interest of a lessee in any project or
1399 any other property or interest owned by the lessee. The exemption
1400 granted by this section shall not be applicable to any tax
1401 imposed by chapter 220 on interest, income, or profits on debt
1402 obligations owned by corporations.

BILL

ORIGINAL

YEAR

1403 Section 46. Paragraph (a) of subsection (1) and subsection
1404 (2) of section 331.355, Florida Statutes, are amended to read:
1405 331.355 Use of name; ownership rights to intellectual
1406 property.--
1407 (1)
1408 (a) The corporate name of a corporation incorporated or
1409 authorized to transact business in this state, or the name of any
1410 person or business entity transacting business in this state, may
1411 not use the words "spaceport Florida," ~~or "Florida spaceport,"~~
1412 "Space Florida," "Florida Space Authority," "Florida Space
1413 Research Institute," or "Florida Aerospace Finance Corporation"
1414 in its name unless Space Florida ~~the authority~~ gives written
1415 approval for such use.
1416 (2) Notwithstanding any provision of chapter 286, the legal
1417 title and every right, interest, claim, or demand of any kind in
1418 and to any patent, trademark, copyright, certification mark, or
1419 other right acquired under the patent and trademark laws of the
1420 United States or this state or any foreign country, or the
1421 application for the same, as is owned or held, acquired, or
1422 developed by Space Florida ~~the authority~~, under Space Florida ~~the~~
1423 ~~authority~~ and directions given it by this part, is vested in
1424 Space Florida ~~the authority~~ for the use, benefit, and purposes
1425 provided in this part. Space Florida ~~The authority~~ is vested with
1426 and is authorized to exercise any and all of the normal incidents
1427 of such ownership, including the receipt and disposition of
1428 royalties. Any sums received as royalties from any such rights
1429 are hereby appropriated to Space Florida ~~the authority~~ for any
1430 and all of the purposes and uses provided in this part.

BILL

ORIGINAL

YEAR

1431 Section 47. Subsections (2) and (3) of section 331.360,
1432 Florida Statutes, are amended to read:
1433 331.360 Joint project agreement or assistance; spaceport
1434 master plan.--
1435 (2) Notwithstanding any other provision of law, the
1436 Department of Transportation may enter into a joint project
1437 agreement with, or otherwise assist, Space Florida~~the Florida~~
1438 ~~Space Authority~~ as necessary to effectuate the provisions of this
1439 chapter and may allocate funds for such purposes in its 5-year
1440 work program. However, the department may not fund the
1441 administrative or operational costs of Space Florida~~the~~
1442 authority.
1443 (3) ~~Space Florida~~~~The authority~~ shall develop a spaceport
1444 master plan for expansion and modernization of space
1445 transportation facilities within spaceport territories as defined
1446 in s. 331.303(23). The plan shall contain recommended projects to
1447 meet current and future commercial, national, and state space
1448 transportation requirements. Space Florida~~The authority~~ shall
1449 submit the plan to any appropriate metropolitan planning
1450 organization~~M.P.O.~~ for review of intermodal impacts. Space
1451 Florida~~The authority~~ shall submit the spaceport master plan to
1452 the Department of Transportation, and such plan may be included
1453 within the department's 5-year work program of qualifying
1454 aerospace discretionary capacity improvement under subsection
1455 (4). The plan shall identify appropriate funding levels and
1456 include recommendations on appropriate sources of revenue that
1457 may be developed to contribute to the State Transportation Trust
1458 Fund.

BILL

ORIGINAL

YEAR

1459 Section 48. Section 331.367, Florida Statutes, is amended
 1460 to read:
 1461 331.367 ~~Spaceport~~ Space Florida Management Council.--
 1462 (1) The Spaceport Management Council is created within
 1463 Space Florida ~~the Florida Space Authority~~ to provide coordination
 1464 between government agencies and commercial operators for the
 1465 purpose of developing recommendations on projects and activities
 1466 to increase the operability and capabilities of Florida's space
 1467 launch facilities, increase statewide space-related industry and
 1468 opportunities, and promote space education, research, and
 1469 technology development. The council shall work to create
 1470 integrated facility and programmatic development plans to address
 1471 commercial, state, and federal requirements and to identify
 1472 appropriate private, state, and federal resources to implement
 1473 these plans.
 1474 (2) The council shall make recommendations regarding:
 1475 (a) The development of a spaceport master plan.
 1476 (b) The projects and levels of commercial financing required
 1477 from the Florida Aerospace Finance Corporation created by s.
 1478 331.407.
 1479 (c) Development and expansion of space-related education and
 1480 research facilities and programs within Florida in consultation
 1481 with the Florida Space Research Institute, including
 1482 recommendations to be provided to the State University System,
 1483 the Division of Community Colleges, and the Department of
 1484 Education.
 1485 (d) The regulation of spaceports and federal and state
 1486 policy.

BILL

ORIGINAL

YEAR

1487 (e) Appropriate levels of governmental and private funding
 1488 for sustainable space development.

1489 (3) The council shall submit its recommendations to the
 1490 Governor, ~~and~~ Lieutenant Governor, the President of the Senate,
 1491 and the Speaker of the House of Representatives, and provide
 1492 copies to the Secretary of Transportation, the director of the
 1493 Office of Tourism, Trade, and Economic Development, the associate
 1494 administrator for Space Transportation in the United States
 1495 Department of Transportation, the administrator of the National
 1496 Aeronautics and Space Administration, the Deputy Assistant
 1497 Secretary of the Air Force for Space Plans and Policy, and the ex
 1498 officio nonvoting council members of the Senate and the House of
 1499 Representatives.

1500 (4)(a) The council shall be composed of an executive board
 1501 ~~consisting of representatives of governmental organizations~~
 1502 ~~having responsibilities for developing or operating space~~
 1503 ~~transportation facilities,~~ and a Space Industry Committee
 1504 consisting of representatives of Florida's space industry.

1505 (b) The executive board consists of the following
 1506 individuals or their designees:

1507 1. The executive director of the Florida Space Authority.
 1508 2. The executive director of the Florida Space Research
 1509 Institute.

1510 3. The president of the Florida Aerospace Finance
 1511 Corporation.

1512 4. A representative of the Space Industry Committee.
 1513 25. The Secretary of Transportation.
 1514 36. The president of Enterprise Florida, Inc., as an ex
 1515 officio nonvoting member.

BILL

ORIGINAL

YEAR

1516 47. The director of the Office of Tourism, Trade, and
1517 Economic Development.

1518 (c)1. Participation by the federal agencies having space-
1519 related missions in the state will contribute to council
1520 effectiveness, and the following installation heads or their
1521 designees may serve as official liaisons to the council: the
1522 director of the John F. Kennedy Space Center, the Commander of
1523 the 45th Space Wing, and the Commander of the Naval Ordnance Test
1524 Unit.

1525 2. Federal liaison officials may attend and participate in
1526 council meetings and deliberations, provide federal-agency views
1527 on issues before the council, and present issues of concern and
1528 make recommendations to the council.

1529 3. The role of federal liaison officials is limited by
1530 federal statutes and other constraints, but the determination of
1531 this limitation is a federal function.

1532 4. The fiduciary responsibility of the official liaisons
1533 shall remain at all times with their respective agencies.

1534 5. To the extent that the advice or recommendations of the
1535 official liaisons are not adopted or incorporated into the final
1536 recommendations of the council, the official liaisons may append
1537 to such final recommendations their advice, recommendations, or
1538 opinions.

1539 (5) The executive board shall adopt bylaws governing the
1540 manner in which the business of the council shall be conducted.
1541 The bylaws shall specify the procedure by which the chairperson
1542 of the council is elected.

1543 (6) The council shall provide infrastructure and program
1544 requirements and develop other information to be utilized in a 5-

BILL	ORIGINAL	YEAR
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1545 | year spaceport master plan. The council shall define goals and
 1546 | objectives concerning the development of spaceport facilities and
 1547 | an intermodal transportation system consistent with the goals of
 1548 | the Florida Transportation Plan developed pursuant to s. 339.155.

1549 | (7) The council shall provide requirements and other
 1550 | information to be utilized in the development of a 5-year
 1551 | Spaceport Economic Development Plan, defining the goals and
 1552 | objectives of the council concerning the development of
 1553 | facilities for space manufacturing, research, technology
 1554 | development, and education.

1555 | (8) The council shall meet at the call of its chair, at the
 1556 | request of two or more members of the executive board, or at such
 1557 | times as may be prescribed in its bylaws. However, the council
 1558 | must meet at least semiannually. A majority vote of the voting
 1559 | members present is sufficient for any action of the council,
 1560 | unless the bylaws of the council require a greater vote for a
 1561 | particular action.

1562 | Section 49. Section 331.368, Florida Statutes, is amended
 1563 | to read:

1564 | 331.368 Florida Space Research Institute.--

1565 | (1) There is created the Florida Space Research Institute,
 1566 | the purpose of which is to serve as an industry-driven center for
 1567 | research, leveraging the state's resources in a collaborative
 1568 | effort to support Florida's space industry and its expansion,
 1569 | diversification, and transition to commercialization.

1570 | (2) The institute shall operate as a public/private
 1571 | partnership under the direction of a board composed of:

1572 | (a) A representative of Space Florida ~~the Florida Space~~
 1573 | ~~Authority~~.

BILL	ORIGINAL	YEAR
1574	(b) A representative of Enterprise Florida, Inc.	
1575	(c) A representative of the Florida Aviation Aerospace	
1576	Alliance.	
1577	(d) A representative of the Florida <u>Aerospace Finance</u>	
1578	<u>Corporation</u> Space Business Roundtable .	
1579	(e) Additional private-sector representatives from the	
1580	space industry selected collaboratively by the core members	
1581	specified in paragraphs (a)-(d). The additional space industry	
1582	representatives under this paragraph must comprise the majority	
1583	of members of the board and must be from geographic regions	
1584	throughout the state. Each private-sector representative shall be	
1585	appointed to a term of 3 years.	
1586	(f) Two representatives from the educational community who	
1587	are selected collaboratively by the core members specified in	
1588	paragraphs (a)-(d) and who are engaged in research or instruction	
1589	related to the space industry. One representative must be from a	
1590	community college, and one representative must be from a public	
1591	or private university. Each educational representative shall be	
1592	appointed to a term of 2 years.	
1593	(g) Additional ex officio, nonvoting representatives	
1594	selected collaboratively by the core members.	
1595	(3) Annually, the members of the board shall select one of	
1596	the members to serve as chair, who shall be responsible for	
1597	convening and leading meetings of the board.	
1598	(4) Board members are considered to be volunteers as	
1599	defined in s. 110.501 and shall serve with all protections	
1600	provided to volunteers of state agencies under s. 768.1355.	

BILL

ORIGINAL

YEAR

1601 (5) For the purposes of contracts and grants, s. 216.346
 1602 shall apply to the institute's programs with state universities
 1603 and community colleges.

1604 (6) The Florida Space Research Institute may:

1605 (a) Acquire property under such conditions as the board may
 1606 deem necessary or desirable, and sell or otherwise dispose of the
 1607 same.

1608 (b) Serve as a coordinating organization among public and
 1609 private academic institutions, industry, and government agencies
 1610 to support the expansion and diversification of Florida's space
 1611 industry, and to support research and education programs.

1612 (c) Execute contracts and other documents, adopt
 1613 proceedings, and perform any acts determined by the board to be
 1614 necessary to carry out the purposes of this section.

1615 (d) Establish a personnel management system and procedures,
 1616 rules, and rates governing administrative and financial
 1617 operations of the institute.

1618 (e) Acquire, accept, or administer grants, contracts, and
 1619 fees from other organizations to perform activities that are
 1620 consistent with the purposes of this section.

1621 (f) Work in partnership with Space Florida ~~the Florida~~
 1622 ~~Space Authority~~, Enterprise Florida, Inc., the Department of
 1623 Education, and other organizations to support their programs to
 1624 promote the state as a center for space enterprise, research, and
 1625 technology development.

1626 (g) Work in collaboration with one or more universities and
 1627 other public or private entities to develop a proposal for a
 1628 Center of Excellence for Aerospace that will foster and promote
 1629 the research necessary to develop commercially promising,

BILL

ORIGINAL

YEAR

1630 | advanced, and innovative science and technology and will transfer
 1631 | those discoveries to the commercial sector.
 1632 | (7) The board of the Florida Space Research Institute
 1633 | shall:
 1634 | (a) Set the strategic direction for the space-related
 1635 | research priorities of the state and its space-related
 1636 | businesses, the scope of research projects for the institute, and
 1637 | the timeframes for completion.
 1638 | (b) Invite the participation of public and private academic
 1639 | institutions, including, but not limited to, the University of
 1640 | Central Florida, the University of Florida, the University of
 1641 | South Florida, Florida State University, Florida Institute of
 1642 | Technology, Embry-Riddle Aeronautical University, and the
 1643 | University of Miami.
 1644 | (c) ~~Select a lead university to:~~
 1645 | 1. ~~Serve as coordinator of research for the institute;~~
 1646 | 2. ~~Support the institute's development of a statewide space~~
 1647 | ~~research agenda and programs; and~~
 1648 | 3. ~~Develop, and update as necessary, a report recommending~~
 1649 | ~~ways that the state's public and private universities can work in~~
 1650 | ~~partnership to support the state's space-industry requirements.~~
 1651 | (d) Establish a partnership with the state Workforce
 1652 | Development Board, or its successor entity, under which the
 1653 | institute coordinates the workforce-training requirements
 1654 | identified by the space industry and supports development of
 1655 | workforce-training initiatives to meet such requirements, using
 1656 | training providers approved by the board or its successor entity.
 1657 | (e) ~~CoManage, with the National Aeronautics and Space~~
 1658 | ~~Administration and subject to the terms of an agreement with~~

BILL

ORIGINAL

YEAR

1659 ~~NASA, operation of the Space Life Sciences Laboratory a Space~~
 1660 ~~Experiment Research and Processing Laboratory, if such a facility~~
 1661 ~~is constructed on land of the John F. Kennedy Space Center. The~~
 1662 ~~institute shall carry out such responsibility through a~~
 1663 ~~consortium of public and private universities in the state led by~~
 1664 ~~the University of Florida.~~

1665 (f) Develop initiatives to foster the participation of the
 1666 state's space industry in the International Space Station and to
 1667 help the state maintain and enhance its competitive position in
 1668 the commercial space-transportation industry.

1669 (g) Pursue partnerships with the National Aeronautics and
 1670 Space Administration to coordinate and conduct research in fields
 1671 including, but not limited to, environmental monitoring;
 1672 agriculture; aquatics; resource reutilization technologies for
 1673 long-duration space missions; and spaceport technologies which
 1674 support current or next-generation launch vehicles and range
 1675 systems.

1676 (h) Pursue partnerships with the National Aeronautics and
 1677 Space Administration for the conduct of space-related research
 1678 using computer technology to connect experts in a given field of
 1679 science who are in disparate locations and to perform research
 1680 experiments in a real-time, virtual environment.

1681 (i) Appoint or dismiss, as deemed necessary by the board, a
 1682 person to act as executive director of the institute, who shall
 1683 have such other functions, duties, powers, and salary as the
 1684 board prescribes.

1685 (8) By December 15 of each year, the institute shall submit
 1686 a report of its activities and accomplishments for the year to
 1687 the Governor, the President of the Senate, the Speaker of the

BILL	ORIGINAL	YEAR
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1688	House of Representatives, and the Commissioner of Education. The	
1689	report shall also include recommendations regarding actions the	
1690	state should take to enhance the development of space-related	
1691	businesses, including:	
1692	(a) Future research activities.	
1693	(b) The development of capital and technology assistance to	
1694	new and expanding industries.	
1695	(c) The removal of regulatory impediments.	
1696	(d) The establishment of business development incentives.	
1697	(e) The initiation of education and training programs to	
1698	ensure a skilled workforce.	
1699	Section 50. Section 331.370, Florida Statutes, is created	
1700	to read:	
1701	<u>331.370 Program Evaluation.--The Office of Program Policy</u>	
1702	<u>Analysis and Government Accountability shall conduct a program</u>	
1703	<u>evaluation of Space Florida, the Florida Space Research</u>	
1704	<u>Institute, and Florida Aerospace Finance Corporation. The</u>	
1705	<u>evaluation shall assess the implementation and outcomes of</u>	
1706	<u>activities utilizing data and information regarding the most</u>	
1707	<u>recently completed fiscal year and ongoing operations. At a</u>	
1708	<u>minimum, the evaluation shall address:</u>	
1709	<u>(1) Evaluation of statutory roles and functions.</u>	
1710	<u>(2) Management structure.</u>	
1711	<u>(3) Overall performance and effectiveness in meeting</u>	
1712	<u>statutory requirements.</u>	
1713	<u>(4) Degree of coordination and cooperation with other space</u>	
1714	<u>entities.</u>	
1715		
1716	<u>The report shall be submitted to the Governor, President of the</u>	

BILL

ORIGINAL

YEAR

1717 Senate, and Speaker of the House of Representatives by January
 1718 31, 2007.

1719 Section 51. Subsections (2) through (10) of section
 1720 331.405, Florida Statutes, are amended to read:

1721 331.405 Definitions.--As used in this part:

1722 (2) "Aerospace industry" means the industry concerned with
 1723 the design and manufacture of aircraft, rockets, missiles,
 1724 spacecraft, satellites, space vehicles, space stations, or space
 1725 facilities, or components thereof, and equipment, systems,
 1726 facilities, simulators, programs, and activities related thereto,
 1727 including the application of aerospace technologies in air-based,
 1728 land-based, and sea-based platforms for commercial, civil, and
 1729 defense purposes.

1730 ~~(3) "Authority" means Space Florida the Florida Space~~
 1731 ~~Authority created by s. 331.302.~~

1732 (34) "Board" means the governing body of the corporation.

1733 (45) "Corporation" means the Florida Aerospace Finance
 1734 Corporation.

1735 (56) "Domiciled in this state" means registered to do
 1736 business in Florida.

1737 (67) "Financial institution" has the same meaning as in s.
 1738 655.005(1)(h).

1739 (78) "Financing agreement" has the same meaning as in s.
 1740 331.303(10).

1741 (89) "Member" means an individual appointed to be a member
 1742 of the board.

1743 (910) "President" means the chief executive officer of the
 1744 corporation.

BILL

ORIGINAL

YEAR

1745 Section 52. Section 331.407, Florida Statutes, is amended
1746 to read:

1747 331.407 Florida Aerospace Finance Corporation.--

1748 (1) The Florida Aerospace Finance Corporation is created as
1749 a corporation not for profit. The corporation shall have all the
1750 powers, rights, privileges, and authority as provided under
1751 chapter 617 and this part. The corporation shall be organized on
1752 a nonstock basis. The purpose of the corporation is to expand
1753 employment and income opportunities for residents of this state
1754 by providing businesses domiciled in this state with information,
1755 technical assistance, and financial assistance to support space-
1756 related transactions, in order to increase the development within
1757 the state of commercial aerospace products, activities, services,
1758 and facilities.

1759 (2) The corporation shall have the power and authority to
1760 carry out the following functions:

1761 (a) To coordinate its efforts with programs and goals of
1762 the United States Air Force, the National Aeronautics and Space
1763 Administration, the Export-Import Bank, the International Trade
1764 Administration of the United States Department of Commerce, the
1765 Foreign Credit Insurance Association, Enterprise Florida, Inc.,
1766 and its boards, and other private and public programs and
1767 organizations, domestic and foreign.

1768 (b) To establish a network of contacts among those domestic
1769 and foreign public and private organizations which provide
1770 information, technical assistance, and financial support to the
1771 aerospace industry.

1772 (c) To assemble, publish, and disseminate information on
1773 financing opportunities and techniques of financing aerospace

BILL	ORIGINAL	YEAR
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1774	projects, programs, and activities; sources of public and private	
1775	aerospace financing assistance; and sources of aerospace-related	
1776	financing.	

1777	(d) To organize, host, and participate in seminars and	
1778	other forums designed to disseminate information and technical	
1779	assistance regarding aerospace-related financing.	

1780	(e) To insure, coinsure, lend, and guarantee loans, and to	
1781	originate for sale direct aerospace-related loans, pursuant to	
1782	criteria, bylaws, policies, and procedures adopted by the board.	

1783	(f) To capitalize, underwrite, and secure funding for	
1784	aerospace infrastructure, satellites, launch vehicles, and any	
1785	service which supports aerospace launches.	

1786	(g) To construct, lease, or sell aerospace infrastructure,	
1787	satellites, launch vehicles, and any other related activities and	
1788	services.	

1789	(h) To acquire property, including real, personal,	
1790	tangible, intangible, or mixed, under such conditions as the	
1791	board may deem necessary or desirable, and sell or otherwise	
1792	dispose of the same.	

1793	(i) To make and exercise any and all contracts or other	
1794	instruments necessary or convenient to the exercise of its	
1795	powers, including financing agreements.	

1796	(j) <u>To contract for innovative mathematics and science</u>	
1797	<u>education programs targeting for grades 6 and 7 and meeting state</u>	
1798	<u>standards. These programs may include hands-on or Internet-based</u>	
1799	<u>aerospace education, provide transportation between schools and</u>	
1800	<u>facilities if necessary, provide overnight accommodations if</u>	
1801	<u>necessary, and provide direct exposure to the state's space</u>	
1802	<u>infrastructure. Proceeds deposited pursuant to s. 212.20(6)(d),</u>	

BILL

ORIGINAL

YEAR

1803 and private sector support shall be used for the purposes of this
 1804 paragraph.

1805 (3) It is the intent of the Legislature that the
 1806 corporation shall not be considered an "agency" as defined in s.
 1807 216.011 or s. 287.012.

1808 Section 53. Section 331.411, Florida Statutes, is amended
 1809 to read:

1810 331.411 Board of directors; powers and duties.--

1811 (1) There is created a board of directors of the
 1812 corporation, which shall consist of up to 7 voting members as
 1813 follows:

1814 (a) One representative appointed by each of the following:

1815 1. The board of supervisors of Space Florida ~~the Florida~~
 1816 ~~Space Authority.~~

1817 2. The board of directors of the Florida Export Finance
 1818 Corporation.

1819 3. The director of the Office of Tourism, Trade, and
 1820 Economic Development.

1821 4. The board of directors of Enterprise Florida, Inc.

1822 5. The Secretary of Transportation.

1823 (b) The Governor shall appoint the following members:

1824 1. A member representing the investment banking industry.

1825 2. An attorney at law in private practice.

1826
 1827 The board shall also include two ex officio nonvoting members, a
 1828 member of the House of Representatives selected by the Speaker of
 1829 the House of Representatives, and a member of the Senate selected
 1830 by the President of the Senate, both of whom shall serve 2-year
 1831 terms.

BILL

ORIGINAL

YEAR

1832 (2) Each voting member shall serve a 3-year term, beginning
1833 on July 1. Members appointed pursuant to paragraph (1)(a) shall
1834 serve at the pleasure of the appointing authority. Members
1835 appointed pursuant to paragraph (1)(b) shall serve at the
1836 pleasure of the Governor. Initial appointments shall be made no
1837 later than 60 days after the effective date of this act.

1838 (3)

1839 (a) No person appointed pursuant to paragraph (1)(a) may be
1840 employed full time by any entity that applies for financial
1841 support.

1842 (b) The members of the board who are federal employees
1843 shall not vote on any financial matter, but may vote on all
1844 corporate policies and procedures.

1845 (c) All board members must be residents of the state.

1846 (4) Board members shall serve without compensation but may
1847 be reimbursed for all necessary expenses in the performance of
1848 their duties, including attending board meetings and conducting
1849 board business.

1850 (5) The board shall:

1851 (a) Prior to the expenditure of funds from the account,
1852 adopt bylaws, rules, and policies necessary to carry out its
1853 responsibilities under this part, particularly with respect to
1854 the implementation of the corporation's programs to insure,
1855 coinsure, lend, provide loan guarantees, and make direct,
1856 guaranteed, or collateralized loans to support aerospace-related
1857 transactions.

1858 (b) Hold regularly scheduled meetings, at least quarterly,
1859 in order to carry out the objectives and responsibilities of the
1860 board.

BILL

ORIGINAL

YEAR

1861 (c) Adopt policies, including criteria, establishing which
 1862 aerospace-related transactions shall be eligible for insurance,
 1863 coinsurance, loan guarantees, and direct, guaranteed, or
 1864 collateralized loans which may be extended by the corporation. To
 1865 implement this paragraph, the board shall adopt rules which
 1866 include the following criteria:

1867 1. Any individual signing any corporation loan application
 1868 and loan or guarantee agreement must have an equity interest in
 1869 the business applying for financial assistance.

1870 2. Applicants must be domiciled in this state and will be
 1871 contractually obligated to use Florida launch facilities to the
 1872 maximum extent possible.

1873 (d) Adopt requirements to ensure the full repayment of
 1874 loans and loan guarantees, plus accrued interest, full-recourse
 1875 claims, and indemnities on direct loan originations sold by the
 1876 corporation, and the solvency of any insurance and coinsurance
 1877 program extended under this part.

1878 (e) Approve any extension of insurance, coinsurance, loans,
 1879 loan guarantees, or direct loan originations for sale under this
 1880 part.

1881 (f) Consult with Enterprise Florida, Inc., and its boards,
 1882 or any state or federal agency, to ensure that their respective
 1883 loan guarantee or working capital loan origination programs are
 1884 not duplicative and that each program makes full use, to the
 1885 extent practicable, of the resources of the other.

1886 (g) Work to secure a delegated line of authority from the
 1887 United States Export-Import Bank or other appropriate federal or
 1888 state agency or private sector entity in order to take advantage
 1889 of possible funding or guarantee sources.

BILL

ORIGINAL

YEAR

1890 (h) Develop a streamlined application and review process.
 1891 Section 54. Section 74.011, Florida Statutes, is amended to
 1892 read:
 1893 74.011 Scope.--In any eminent domain action, properly
 1894 instituted by and in the name of the state; the Department of
 1895 Transportation; any county, school board, municipality,
 1896 expressway authority, regional water supply authority,
 1897 transportation authority, flood control district, or drainage or
 1898 subdrainage district; the ship canal authority; any lawfully
 1899 constituted housing, port, or aviation authority; Space
 1900 ~~Florida~~~~the Florida Space Authority~~; or any rural electric
 1901 cooperative, telephone cooperative corporation, or public utility
 1902 corporation, the petitioner may avail itself of the provisions of
 1903 this chapter to take possession and title in advance of the entry
 1904 of final judgment.
 1905 Section 55. Subsection (6) of section 196.012, Florida
 1906 Statutes, is amended to read:
 1907 196.012 Definitions.--For the purpose of this chapter, the
 1908 following terms are defined as follows, except where the context
 1909 clearly indicates otherwise:
 1910 (6) Governmental, municipal, or public purpose or function
 1911 shall be deemed to be served or performed when the lessee under
 1912 any leasehold interest created in property of the United States,
 1913 the state or any of its political subdivisions, or any
 1914 municipality, agency, special district, authority, or other
 1915 public body corporate of the state is demonstrated to perform a
 1916 function or serve a governmental purpose which could properly be
 1917 performed or served by an appropriate governmental unit or which
 1918 is demonstrated to perform a function or serve a purpose which

BILL	ORIGINAL	YEAR
1919	would otherwise be a valid subject for the allocation of public	
1920	funds. For purposes of the preceding sentence, an activity	
1921	undertaken by a lessee which is permitted under the terms of its	
1922	lease of real property designated as an aviation area on an	
1923	airport layout plan which has been approved by the Federal	
1924	Aviation Administration and which real property is used for the	
1925	administration, operation, business offices and activities	
1926	related specifically thereto in connection with the conduct of an	
1927	aircraft full service fixed base operation which provides goods	
1928	and services to the general aviation public in the promotion of	
1929	air commerce shall be deemed an activity which serves a	
1930	governmental, municipal, or public purpose or function. Any	
1931	activity undertaken by a lessee which is permitted under the	
1932	terms of its lease of real property designated as a public	
1933	airport as defined in s. 332.004(14) by municipalities, agencies,	
1934	special districts, authorities, or other public bodies corporate	
1935	and public bodies politic of the state, a spaceport as defined in	
1936	s. 331.303(19), or which is located in a deepwater port	
1937	identified in s. 403.021(9)(b) and owned by one of the foregoing	
1938	governmental units, subject to a leasehold or other possessory	
1939	interest of a nongovernmental lessee that is deemed to perform an	
1940	aviation, airport, aerospace, maritime, or port purpose or	
1941	operation shall be deemed an activity that serves a governmental,	
1942	municipal, or public purpose. The use by a lessee, licensee, or	
1943	management company of real property or a portion thereof as a	
1944	convention center, visitor center, sports facility with permanent	
1945	seating, concert hall, arena, stadium, park, or beach is deemed a	
1946	use that serves a governmental, municipal, or public purpose or	
1947	function when access to the property is open to the general	

BILL

ORIGINAL

YEAR

1948	<p>public with or without a charge for admission. If property deeded to a municipality by the United States is subject to a requirement that the Federal Government, through a schedule established by the Secretary of the Interior, determine that the property is being maintained for public historic preservation, park, or recreational purposes and if those conditions are not met the property will revert back to the Federal Government, then such property shall be deemed to serve a municipal or public purpose. The term "governmental purpose" also includes a direct use of property on federal lands in connection with the Federal Government's Space Exploration Program or spaceport activities as defined in s. 212.02(22). Real property and tangible personal property owned by the Federal Government or <u>Space Florida</u>the Florida Space Authority and used for defense and space exploration purposes or which is put to a use in support thereof shall be deemed to perform an essential national governmental purpose and shall be exempt. "Owned by the lessee" as used in this chapter does not include personal property, buildings, or other real property improvements used for the administration, operation, business offices and activities related specifically thereto in connection with the conduct of an aircraft full service fixed based operation which provides goods and services to the general aviation public in the promotion of air commerce provided that the real property is designated as an aviation area on an airport layout plan approved by the Federal Aviation Administration. For purposes of determination of "ownership," buildings and other real property improvements which will revert to the airport authority or other governmental unit upon expiration of the term of the lease shall be deemed "owned" by</p>
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BILL	ORIGINAL	YEAR
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1977	the governmental unit and not the lessee. Providing two-way	
1978	telecommunications services to the public for hire by the use of	
1979	a telecommunications facility, as defined in s. 364.02(15), and	
1980	for which a certificate is required under chapter 364 does not	
1981	constitute an exempt use for purposes of s. 196.199, unless the	
1982	telecommunications services are provided by the operator of a	
1983	public-use airport, as defined in s. 332.004, for the operator's	
1984	provision of telecommunications services for the airport or its	
1985	tenants, concessionaires, or licensees, or unless the	
1986	telecommunications services are provided by a public hospital.	
1987	However, property that is being used to provide such	
1988	telecommunications services on or before October 1, 1997, shall	
1989	remain exempt, but such exemption expires October 1, 2004.	

1990	Section 56. Subsection (22) of section 212.02, Florida	
1991	Statutes, is amended to read:	

1992	212.02 Definitions.--The following terms and phrases when	
1993	used in this chapter have the meanings ascribed to them in this	
1994	section, except where the context clearly indicates a different	
1995	meaning:	

1996	(22) "Spaceport activities" means activities directed or	
1997	sponsored by <u>Space Florida</u> the Florida Space Authority on	
1998	spaceport territory pursuant to its powers and responsibilities	
1999	under the <u>Space Florida Act</u> Florida Space Authority Act .	

2000	Section 57. Paragraph (d) of subsection (6) of section	
2001	212.20, Florida Statutes, is amended to read:	

2002	212.20 Funds collected, disposition; additional powers of	
2003	department; operational expense; refund of taxes adjudicated	
2004	unconstitutionally collected.--	

2005	(6) Distribution of all proceeds under this chapter and s.	
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ORIGINAL

YEAR

2006 202.18(1)(b) and (2)(b) shall be as follows:

2007 (d) The proceeds of all other taxes and fees imposed

2008 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)

2009 and (2)(b) shall be distributed as follows:

2010 1. In any fiscal year, the greater of \$500 million, minus

2011 an amount equal to 4.6 percent of the proceeds of the taxes

2012 collected pursuant to chapter 201, or 5 percent of all other

2013 taxes and fees imposed pursuant to this chapter or remitted

2014 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in

2015 monthly installments into the General Revenue Fund.

2016 2. Two-tenths of one percent shall be transferred to the

2017 Ecosystem Management and Restoration Trust Fund to be used for

2018 water quality improvement and water restoration projects.

2019 3. After the distribution under subparagraphs 1. and 2.,

2020 8.814 percent of the amount remitted by a sales tax dealer

2021 located within a participating county pursuant to s. 218.61 shall

2022 be transferred into the Local Government Half-cent Sales Tax

2023 Clearing Trust Fund. Beginning July 1, 2003, the amount to be

2024 transferred pursuant to this subparagraph to the Local Government

2025 Half-cent Sales Tax Clearing Trust Fund shall be reduced by 0.1

2026 percent, and the department shall distribute this amount to the

2027 Public Employees Relations Commission Trust Fund less \$5,000 each

2028 month, which shall be added to the amount calculated in

2029 subparagraph 4. and distributed accordingly.

2030 4. After the distribution under subparagraphs 1., 2., and

2031 3., 0.095 percent shall be transferred to the Local Government

2032 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant

2033 to s. 218.65.

2034 5. After the distributions under subparagraphs 1., 2., 3.,

BILL	ORIGINAL	YEAR
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2035	and 4., 2.0440 percent of the available proceeds pursuant to this	
2036	paragraph shall be transferred monthly to the Revenue Sharing	
2037	Trust Fund for Counties pursuant to s. 218.215.	

2038	6. After the distributions under subparagraphs 1., 2., 3.,	
2039	and 4., 1.3409 percent of the available proceeds pursuant to this	
2040	paragraph shall be transferred monthly to the Revenue Sharing	
2041	Trust Fund for Municipalities pursuant to s. 218.215. If the	
2042	total revenue to be distributed pursuant to this subparagraph is	
2043	at least as great as the amount due from the Revenue Sharing	
2044	Trust Fund for Municipalities and the former Municipal Financial	
2045	Assistance Trust Fund in state fiscal year 1999-2000, no	
2046	municipality shall receive less than the amount due from the	
2047	Revenue Sharing Trust Fund for Municipalities and the former	
2048	Municipal Financial Assistance Trust Fund in state fiscal year	
2049	1999-2000. If the total proceeds to be distributed are less than	
2050	the amount received in combination from the Revenue Sharing Trust	
2051	Fund for Municipalities and the former Municipal Financial	
2052	Assistance Trust Fund in state fiscal year 1999-2000, each	
2053	municipality shall receive an amount proportionate to the amount	
2054	it was due in state fiscal year 1999-2000.	

2055	7. Of the remaining proceeds:	
------	-------------------------------	--

2056	a. In each fiscal year, the sum of \$29,915,500 shall be	
2057	divided into as many equal parts as there are counties in the	
2058	state, and one part shall be distributed to each county. The	
2059	distribution among the several counties shall begin each fiscal	
2060	year on or before January 5th and shall continue monthly for a	
2061	total of 4 months. If a local or special law required that any	
2062	moneys accruing to a county in fiscal year 1999-2000 under the	
2063	then-existing provisions of s. 550.135 be paid directly to the	

BILL

ORIGINAL

YEAR

2064 district school board, special district, or a municipal
 2065 government, such payment shall continue until such time that the
 2066 local or special law is amended or repealed. The state covenants
 2067 with holders of bonds or other instruments of indebtedness issued
 2068 by local governments, special districts, or district school
 2069 boards prior to July 1, 2000, that it is not the intent of this
 2070 subparagraph to adversely affect the rights of those holders or
 2071 relieve local governments, special districts, or district school
 2072 boards of the duty to meet their obligations as a result of
 2073 previous pledges or assignments or trusts entered into which
 2074 obligated funds received from the distribution to county
 2075 governments under then-existing s. 550.135. This distribution
 2076 specifically is in lieu of funds distributed under s. 550.135
 2077 prior to July 1, 2000.

2078 b. The department shall distribute \$166,667 monthly
 2079 pursuant to s. 288.1162 to each applicant that has been certified
 2080 as a "facility for a new professional sports franchise" or a
 2081 "facility for a retained professional sports franchise" pursuant
 2082 to s. 288.1162. Up to \$41,667 shall be distributed monthly by the
 2083 department to each applicant that has been certified as a
 2084 "facility for a retained spring training franchise" pursuant to
 2085 s. 288.1162; however, not more than \$208,335 may be distributed
 2086 monthly in the aggregate to all certified facilities for a
 2087 retained spring training franchise. Distributions shall begin 60
 2088 days following such certification and shall continue for not more
 2089 than 30 years. Nothing contained in this paragraph shall be
 2090 construed to allow an applicant certified pursuant to s. 288.1162
 2091 to receive more in distributions than actually expended by the
 2092 applicant for the public purposes provided for in s. 288.1162(6).

BILL

ORIGINAL

YEAR

2093 | However, a certified applicant is entitled to receive
2094 | distributions up to the maximum amount allowable and
2095 | undistributed under this section for additional renovations and
2096 | improvements to the facility for the franchise without additional
2097 | certification.

2098 | c. Beginning 30 days after notice by the Office of Tourism,
2099 | Trade, and Economic Development to the Department of Revenue that
2100 | an applicant has been certified as the professional golf hall of
2101 | fame pursuant to s. 288.1168 and is open to the public, \$166,667
2102 | shall be distributed monthly, for up to 300 months, to the
2103 | applicant.

2104 | d. Beginning 30 days after notice by the Office of Tourism,
2105 | Trade, and Economic Development to the Department of Revenue that
2106 | the applicant has been certified as the International Game Fish
2107 | Association World Center facility pursuant to s. 288.1169, and
2108 | the facility is open to the public, \$83,333 shall be distributed
2109 | monthly, for up to 168 months, to the applicant. This
2110 | distribution is subject to reduction pursuant to s. 288.1169. A
2111 | lump sum payment of \$999,996 shall be made, after certification
2112 | and before July 1, 2000.

2113 | e. Every dealer conducting business at a fixed location at
2114 | the John F. Kennedy Space Center or Cape Canaveral Air Force
2115 | Station, pursuant to a contract with the National Aeronautics and
2116 | Space Administration or pursuant to a subcontract to such
2117 | contract, shall file with the department a separate monthly
2118 | report with segregated tax information regarding taxes collected
2119 | on sales, admissions, tours, leases, and licenses taxable under
2120 | this chapter. The dealer shall simultaneously file a copy of the
2121 | report with the Florida Aerospace Finance Corporation, all of

BILL

ORIGINAL

YEAR

2122 which is subject to the same confidentiality provisions as are
 2123 applicable to returns and information filed with the department
 2124 under s. 213.053. Each month, and no later than 30 days after
 2125 collection, the department shall distribute to the Florida
 2126 Aerospace Finance Corporation account created pursuant to s.
 2127 331.415, an amount equal to the proceeds collected by the
 2128 department as shown by the returns required by this sub-
 2129 subparagraph. However, the monthly distributions may not include
 2130 proceeds of discretionary surtaxes due under this chapter. This
 2131 sub-subparagraph does not affect any dealer's liability for other
 2132 taxes imposed by and under this chapter.

2133 8. All other proceeds shall remain with the General Revenue
 2134 Fund.

2135 Section 58. Subsection (7) of section 288.063, Florida
 2136 Statutes, is amended to read:

2137 288.063 Contracts for transportation projects.--

2138 (7) For the purpose of this section, Space Florida~~the~~
 2139 ~~Florida Space Authority~~ may serve as the local government or as
 2140 the contracting agency for transportation projects within
 2141 spaceport territory as defined by s. 331.304.

2142 Section 59. Subsection (1) of section 288.075, Florida
 2143 Statutes, is amended to read:

2144 288.075 Confidentiality of records.--

2145 (1) As used in this section, the term "economic development
 2146 agency" means the Office of Tourism, Trade, and Economic
 2147 Development, any industrial development authority created in
 2148 accordance with part III of chapter 159 or by special law, Space
 2149 ~~Florida~~~~the Florida Space Authority~~ created in part II of chapter
 2150 331, the Florida Aerospace Finance Corporation created in part

BILL

ORIGINAL

YEAR

2151 III of chapter 331, the public economic development agency of a
 2152 county or municipality, or any research and development authority
 2153 created in accordance with part V of chapter 159. The term also
 2154 includes any private agency, person, partnership, corporation, or
 2155 business entity when authorized by the state, a municipality, or
 2156 a county to promote the general business interests or industrial
 2157 interests of the state or that municipality or county.

2158 Section 60. Subsection (2) of section 288.35, Florida
 2159 Statutes, is amended to read:

2160 288.35 Definitions.--The following terms, wherever used or
 2161 referred to in this part, shall have the following meanings:

2162 (2) "Government agency" means the state or any county or
 2163 political subdivision thereof; any state agency; any consolidated
 2164 government of a county, and some or all of the municipalities
 2165 located within said county; any chartered municipality in the
 2166 state; and any of the institutions of such consolidated
 2167 governments, counties, or municipalities. Specifically included
 2168 are airports, port authorities, industrial authorities, and Space
 2169 Florida ~~the Florida Space Authority~~.

2170 Section 61. Subsection (2) of section 288.9415, Florida
 2171 Statutes, is amended to read:

2172 288.9415 International Trade Grants.--

2173 (2) A county, municipality, economic development council,
 2174 Space Florida ~~the Florida Space Authority~~, or a not-for-profit
 2175 association of businesses organized to assist in the promotion of
 2176 international trade may apply for a grant of state funds for the
 2177 promotion of international trade.

2178 66Section 62. This act shall take effect July 1, 2006.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **PCB SPT 06-01**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Spaceport & Technology
Representative(s) Allen offered the following:

Amendment (with directory and title amendments)

Remove line(s) 1500-1538 and insert:

~~(4)(a) The council shall be composed of an executive board consisting of representatives of governmental organizations having responsibilities for developing or operating space transportation facilities, and a Space Industry Committee consisting of representatives of Florida's space industry.~~

(~~a~~) The executive board shall consists of the following individuals or their designees:

1. The executive director of Space Florida ~~the Florida Space Authority.~~

2. The executive director of the Florida Space Research Institute.

3. The president of the Florida Aerospace Finance Corporation.

4. A representative of the Space Industry Committee.

~~25.~~ The Secretary of the Department of Transportation.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

22 36. The president of Enterprise Florida, Inc., as an ex
23 officio nonvoting member.

24 47. The director of the Office of Tourism, Trade, and
25 Economic Development.

26 (b) The Space Industry Committee shall consist of
27 representatives of Florida's space flight businesses, as defined
28 by s. 212.031(1)(a)13.

29 (c)1. Participation by the federal agencies having space-
30 related missions in the state will contribute to council
31 effectiveness, and the following installation heads or their
32 designees may serve as official liaisons to the council: the
33 director of the John F. Kennedy Space Center, the Commander of
34 the 45th Space Wing, and the Commander of the Naval Ordnance
35 Test Unit.

36 2. Federal liaison officials may attend and participate in
37 council meetings and deliberations, provide federal-agency views
38 on issues before the council, and present issues of concern and
39 make recommendations to the council.

40 3. The role of federal liaison officials is limited by
41 federal statutes and other constraints, but the determination of
42 this limitation is a federal function.

43 4. The fiduciary responsibility of the official liaisons
44 shall remain at all times with their respective agencies.

45 5. To the extent that the advice or recommendations of the
46 official liaisons are not adopted or incorporated into the final
47 recommendations of the council, the official liaisons may append
48 to such final recommendations their advice, recommendations, or
49 opinions.
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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

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===== T I T L E A M E N D M E N T =====

Remove line(s) 13 and insert:

and membership of the council; clarifying membership of the
Space Industry Committee; amending s. 331.368, F.S.;

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. **PCB SPT 06-01**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Spaceport & Technology
Representative(s) Allen offered the following:

Amendment (with directory and title amendments)

Between line(s) 2177 and 2178 insert:

Section 62. Section 1004.86, Florida Statutes, is created to
read:

1004.86 Florida Center for Mathematics and Science
Education Research.--

(1) The Department of Education shall, in conjunction with
the Florida Space Research Institute, establish at a state
university the Florida Center for Mathematics and Science
Education Research to increase student achievement in
mathematics and science. The center shall:

(a) Provide technical assistance and support to school
districts and schools in the development and implementation of
mathematics and science instruction.

(b) Conduct applied research on policy and practices
related to mathematics and science instruction and assessment in
the state.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

(c) Conduct or compile basic research regarding student acquisition of mathematics and science knowledge and skills.

(d) Develop comprehensive course frameworks for mathematics and science courses that emphasize rigor and relevance at the elementary, middle, and high school levels.

(e) Disseminate information regarding research-based teaching practices in mathematics and science to teachers and teacher educators in the state.

(f) Collect, manage, and report on assessment information regarding student achievement in mathematics and science.

(g) Establish partnerships with state universities, community colleges, and school districts.

(h) Collaborate with the Florida Center for Reading Research in order to provide research-based practices that integrate the teaching of reading within mathematics and sciences courses.

(2) The department shall monitor the center through the Division of K-12 Public Schools.

===== T I T L E A M E N D M E N T =====

Remove line(s) 19 and insert:

distribute certain sales and use tax revenues; creating 1004.86, F.S.; directing the Department of Education to establish the Florida Center for Mathematics and Science Education Research at a state university; specifying requirements for the center; amending

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

Bill No. **PCB SPT 06-01**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Space & Technology
Representative(s) Allen offered the following:

Amendment (with directory and title amendments)

Remove line(s) 1665-1684 and insert:

(f) Pursuant to s. 1004.86, work in conjunction with the
Department of Education to establish a Center for Mathematics
and Science Education Research at a state university.

(g~~f~~) Develop initiatives to foster the participation of
the state's space industry in the International Space Station
and to help the state maintain and enhance its competitive
position in the commercial space-transportation industry.

(h~~g~~) Pursue partnerships with the National Aeronautics and
Space Administration to coordinate and conduct research in
fields including, but not limited to, environmental monitoring;
agriculture; aquatics; resource reutilization technologies for
long-duration space missions; and spaceport technologies which
support current or next-generation launch vehicles and range
systems.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

(i~~h~~) Pursue partnerships with the National Aeronautics and Space Administration for the conduct of space-related research using computer technology to connect experts in a given field of science who are in disparate locations and to perform research experiments in a real-time, virtual environment.

(j~~i~~) Appoint or dismiss, as deemed necessary by the board, a person to act as executive director of the institute, who shall have such other functions, duties, powers, and salary as the board prescribes.

===== T I T L E A M E N D M E N T =====

Between line(s) 13 and 14 insert:

directing the Florida Space Research Institute to work in conjunction with the Department of Education to establish a Center for Mathematics and Science Education Research at a state university;

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